



The Journal OF THE *House of Representatives*

Number 30

Friday, March 2, 2012

The House was called to order by the Speaker at 10:00 a.m.

Prayer

The following prayer was offered by the Honorable Douglas Vaughn "Doug" Broxson:

For 35 years, men and women have stood here in this well and tried to sketch Your image. They have proclaimed that You are the Abba, Father, the Great Creator, all-knowing, self-existent, just, never changing, merciful, eternal, the Light of the World, the Shepherd, the Line of Judah, the Ancient of Days, the Alpha and the Omega, the Holy One, the King of King and Lord of Lords, the Anointed One, the Bread of Life, Living Water, the Redeemer, Bright and Morning Star, The Rose of Sharon, The Man of Sorrow, the Lily of the Valley, the Healer, the Comforter, the Deliverer, the Faithful, the Prince of Peace, the Forgiver, the Master, the Perfect One, the Ever Present in Time of Need, the Son of Man, the Son of God, a Friend, a Brother, a Transformer, the Compassionate Almighty, the Comforter, and the Savior.

But the 2,500 people that have stood in this well and the ones that will follow, including myself, have all failed to properly describe who You are. There is no one like You. You are the Creator. You are above all of our thoughts. You give us meaning. You give us hope. The only word that we can properly call You is God and we thank You that You exist and that You exist in this Chamber today. Amen.

The following members were recorded present:

Session Vote Sequence: 1024

Speaker Cannon in the Chair.

Abruzzo	Clarke-Reed	Goodson	Mayfield
Adkins	Clemens	Grant	McBurney
Ahern	Coley	Grimsley	McKeel
Albritton	Corcoran	Hager	Metz
Artiles	Costello	Harrell	Moraitis
Aubuchon	Crisafulli	Harrison	Nehr
Baxley	Cruz	Holder	Nelson
Bembry	Davis	Hooper	Núñez
Berman	Diaz	Horner	O'Toole
Bernard	Dorworth	Hudson	Oliva
Bileca	Drake	Hukill	Pafford
Boyd	Eisnaugle	Ingram	Passidomo
Brandes	Ford	Jenne	Patronis
Brodeur	Fresen	Jones	Perman
Broxson	Frishe	Julien	Perry
Bullard	Fullwood	Kiar	Pilon
Burgin	Gaetz	Kreegel	Plakon
Caldwell	Garcia	Kriseman	Porter
Campbell	Gibbons	Legg	Porth
Cannon	Glorioso	Logan	Precourt
Chestnut	Gonzalez	Lopez-Cantera	Proctor

Ray	Saunders	Steube	Watson
Reed	Schenck	Taylor	Weatherford
Rehwinkel Vasilinda	Slosberg	Thompson, G.	Weinstein
Renuart	Smith	Thurston	Williams, A.
Roberson, K.	Snyder	Tobia	Williams, T.
Rogers	Soto	Trujillo	Wood
Rooney	Stafford	Van Zant	Workman
Rouson	Stargel	Waldman	Young

(A list of excused members appears at the end of the *Journal*.)

A quorum was present.

Pledge

The members, led by the following, pledged allegiance to the Flag: Genesis Triplett of Tallahassee at the invitation of Rep. A. Williams; Trent Van Alstine of Lady Lake at the invitation of Rep. O'Toole; and Emily Wetherell of Tallahassee at the invitation of Rep. A. Williams.

House Physician

The Speaker introduced Dr. Robert Eanett of Lakeland, who served in the Clinic today upon invitation of Rep. McKeel.

Correction of the *Journal*

The *Journal* of March 1 was corrected and approved as corrected.

Reports of Standing Committees and Subcommittees

Reports of the Rules & Calendar Committee

The Honorable Dean Cannon February 29, 2012
Speaker, House of Representatives

Dear Mr. Speaker:

Your Rules & Calendar Committee herewith submits the Special Order for Friday, March 02, 2012. Consideration of the House bills on Special Orders shall include the Senate Companion measures on the House Calendar.

I. Consideration of the following bills:

HB 997 - Trujillo, Abruzzo, & others
Dangerous Dogs

CS/HB 7133 - Appropriations Committee, Health & Human Services Committee, & others

- Quality Improvement Initiatives for Entities Regulated by the Agency for Health Care Administration
- CS/CS/HB 651 - Economic Affairs Committee, Business & Consumer Affairs Subcommittee, & others
Building Construction and Inspection
- HB 1015 - Hooper
Tourist Development Tax
- CS/CS/HB 885 - Economic Affairs Committee, Business & Consumer Affairs Subcommittee, & others
Transactions by Secondhand Dealers and Secondary Metals Recyclers
- HB 7135 - Education Committee, Proctor
Postsecondary Education
- CS/HB 451 - Civil Justice Subcommittee, Steube, & others
Fraudulent Transfers
- CS/HB 701 - Civil Justice Subcommittee, Logan, & others
Florida Evidence Code
- CS/HB 963 - Judiciary Committee, Harrison
Dispute Resolution
- CS/HB 671 - Community & Military Affairs Subcommittee, Wood, & others
Liens on Real Property
- CS/HB 1023 - Civil Justice Subcommittee, Costello
Suspension of Driver Licenses and Motor Vehicle Registrations
- CS/HB 891 - Community & Military Affairs Subcommittee, Harrison
Hillsborough County
- HB 865 - Hooper
Pinellas Suncoast Transit Authority, Pinellas County
- CS/HB 1253 - Community & Military Affairs Subcommittee, Ray
City of Jacksonville, Duval County
- HB 1381 - Clemens, Rooney
West Palm Beach Downtown Development Authority, Palm Beach County
- CS/CS/HB 949 - Education Committee, Criminal Justice Subcommittee, & others
Juvenile Justice Education and Workforce Programs
- HB 777 - Eisnaugle
Securities Law Violations
- CS/HB 429 - Criminal Justice Subcommittee, Hudson, & others
Robbery by Sudden Snatching
- CS/CS/HB 497 - Justice Appropriations Subcommittee, Criminal Justice Subcommittee, & others
Juvenile Expunction
- CS/CS/HB 7117 - State Affairs Committee, Finance & Tax Committee, & others
Energy
- HM 717 - Burgin, Abruzzo, & others
Federal Corporate Tax Rate
- CS/CS/HB 337 - State Affairs Committee, Government Operations Appropriations Subcommittee, & others
Public-Private Partnerships
- CS/HB 1461 - State Affairs Committee, Gaetz
Voter Identification
- CS/CS/CS/CS/HB 1261 - State Affairs Committee, Appropriations Committee, & others
State Employment
- CS/CS/CS/HB 625 - Health & Human Services Committee, Community & Military Affairs Subcommittee, & others
Disposition of Human Remains
- CS/CS/HB 1097 - Appropriations Committee, Criminal Justice Subcommittee, & others
Sexually Violent Predators
- CS/HB 1195 - Judiciary Committee, Campbell, & others
Involuntary Examinations under the Baker Act
- CS/HB 309 - Health & Human Services Quality Subcommittee, Oliva
Radiological Personnel
- CS/HB 413 - Health & Human Services Quality Subcommittee, Mayfield, & others
Chiropractic Medicine
- CS/HB 1313 - Health & Human Services Quality Subcommittee, Corcoran, & others
Dental Hygienists
- CS/CS/CS/HB 363 - Health & Human Services Committee, Health Care Appropriations Subcommittee, & others
Physician Assistants
- CS/CS/HB 653 - Health Care Appropriations Subcommittee, Health & Human Services Quality Subcommittee, & others
Health Care Fraud
- CS/CS/CS/HB 1355 - Appropriations Committee, Health & Human Services Committee, & others
Protection of Vulnerable Persons
- CS/HJR 931 - Education Committee, Gaetz, & others
Board of Governors/Student Body President
- CS/CS/HB 7063 - Education Committee, PreK-12 Appropriations Subcommittee, & others
Digital Learning
- CS/CS/HB 7059 - Education Committee, PreK-12 Appropriations Subcommittee, & others
Acceleration Options in Public Education
- HB 7127 - Education Committee, Fresen
School Improvement and Education Accountability
- HB 7111 - Government Operations Subcommittee, Mayfield
OGSR/Unclaimed Property
- HB 763 - Rogers, Campbell
Motor Vehicle Registration
- CS/CS/CS/HB 1399 - Economic Affairs Committee, Transportation & Economic Development Appropriations Subcommittee, & others
Transportation

II. Consideration of the following bills:

- CS/CS/HB 965 - Judiciary Committee, Civil Justice Subcommittee, & others
Relief/Aaron Edwards/Lee Memorial Health System/Lee County
- CS/HB 967 - Civil Justice Subcommittee, Diaz
Relief/Kristi Mellen/North Broward Hospital District
- CS/HB 293 - Civil Justice Subcommittee, Rooney
Relief/Matute, Torres, De Mayne, Torres, and Barahona/Palm Beach County Sheriff's Office
- CS/HB 877 - Civil Justice Subcommittee, Trujillo
Relief/Odette Acanda and Alexis Rodriguez/Public Health Trust of Miami-Dade County
- CS/HB 855 - Civil Justice Subcommittee, Workman
Relief/Carl Abbott/Palm Beach County School Board
- CS/HB 1039 - Civil Justice Subcommittee, Steube
Relief/James Feurtado/Miami-Dade County
- CS/HB 1485 - Civil Justice Subcommittee, Steube
Relief/Monica Cantillo Acosta and Luis Alberto Cantilla Acosta/Miami-Dade County
- CS/HB 579 - Civil Justice Subcommittee, Nuñez
Relief/Lopez, Guzman, Lopez, Jr., Lopez-Velasquez, and Guzman/Miami-Dade County
- CS/HB 457 - Civil Justice Subcommittee, Nehr
Relief/Denise Gordon Brown & David Brown/North Broward Hospital District
- HB 7131 - Judiciary Committee, Julien, & others
Relief/Irving Hoffman and Marjorie Weiss/City of Tallahassee
- CS/HB 43 - Civil Justice Subcommittee, Jenne
Relief/Ronald Miller/City of Hollywood
- CS/HB 909 - Civil Justice Subcommittee, Gonzalez
Relief/Anaïs Cruz Peinado/School Board of Miami-Dade County
- CS/HB 697 - Civil Justice Subcommittee, McBurney
Relief/Donald Brown/District School Board of Sumter County
- CS/CS/HB 445 - Judiciary Committee, Civil Justice Subcommittee, & others
Relief/Eric Brody/Broward County Sheriff's Office
- CS/SB 4 - Rules, Benacquisto
Relief of Eric Brody by the Broward County Sheriff's Office

A quorum was present in person, and a majority of those present agreed to the above Report.

Respectfully submitted,
Gary Aubuchon, Chair
Rules & Calendar Committee

On motion by Rep. Aubuchon, the above report was adopted.

Special Debate Procedures

Rep. Aubuchon moved to adopt the following procedures for debate on third reading of bills on March 2, 2012.

Final debate on third reading of the bills listed below on the floor on March 2, 2012 shall be limited to no more than the time specified below, with the time equally divided. In addition to the allotted time, the sponsor will explain and close each bill, each not to exceed 3 minutes. After opening the bill, the floor managers shall be alternately recognized until their time runs out. Time not utilized is lost.

The Majority and Minority Leaders may each designate one floor manager. The floor managers may speak in debate and yield time to other Members to debate. Recognitions of floor managers must go through the Speaker. A Member may not be recognized more than once in debate on the bill.

No Member may be recognized for debate unless a floor manager yields time to that Member.

There will be no other debate on these bills on March 2, 2012.

The time limitations for the bills are as follows:

CS/CS/CS/HB 1205 Drug-Free Workplace Act	24
CS/CS/CS/HB 903 Charter Schools	8
CS/CS/CS/HB 859 Florida Tax Credit Scholarship Program	20
HB 7129 State Univ. of Academic and Research Excellence	24
CS/CS/CS/HB 1403 High School Athletics	20
CS/CS/HB 119 Motor Vehicle Insurance	50
CS/CS/CS/HB 1263 Department of Health	12

1. Opening and closing time will not be included in the total debate time and shall not exceed 3 minutes each.
2. No Member may be recognized more than once.
3. All recognitions must go through the Speaker.

On motion by Rep. Aubuchon, Rule 10.12 was waived and the above special floor procedure was adopted by the required two-thirds vote.

Bills and Joint Resolutions on Third Reading

Consideration of **CS/CS/HB 565** was temporarily postponed.

CS/HB 7055—A bill to be entitled An act relating to administrative authority; providing legislative findings; providing legislative intent; amending s. 20.02, F.S.; clarifying the authority of the Governor; amending s. 20.03, F.S.; revising the definition of the terms "head of the department" and "secretary"; defining the term "to serve at the pleasure"; clarifying supervisory powers of appointing authority; amending s. 20.05, F.S., relating to powers and duties of department heads; incorporating constitutional allocation of executive authority; creating s. 120.515, F.S.; declaring policy regarding executive authority with respect to the Administrative Procedure Act; amending s. 120.52, F.S.; revising the term "agency head" to clarify supervisory powers of the appointing authority; amending s. 11.242, F.S.; providing for removal of duplicative, redundant, or unused rulemaking authority as part of the reviser's bill process; repealing s. 14.34(3), F.S., relating to the Governor's Medal of Merit; repealing rulemaking authority; amending s. 15.16, F.S.; deleting authority of the Department of State to adopt rules relating to the issuance of apostilles; repealing s. 15.18(7), F.S., relating to international and cultural relations; repealing rulemaking authority of the Secretary of State with respect to entering into contracts that are primarily for promotional services and events; amending s. 16.60, F.S.; deleting authority of the Attorney General to adopt rules relating to mediation proceedings; repealing s. 17.0416(2), F.S., relating to the authority to provide services on a fee basis; repealing rulemaking authority of the Department of Financial Services with respect thereto; repealing s. 17.59(3),

F.S., relating to safekeeping services; repealing rulemaking authority of the Chief Financial Officer for the proper management and maintenance of the collateral management service; repealing s. 25.371, F.S., relating to the effect of rules adopted by the Supreme Court on statutory provisions; repealing s. 28.43, F.S., relating to the adoption of rules in relation to ss. 28.35, 28.36, and 28.37, relating to duties of the Florida Clerks of Court Operations Corporation and clerks of the court; repealing s. 35.07, F.S., relating to power of the district courts of appeal to make rules and regulations; repealing s. 39.001(11), F.S., relating to rulemaking authority of Executive Office of the Governor with respect to the protection of children under chapter 39; amending s. 39.0137, F.S.; deleting rulemaking authority of the Department of Children and Family Services with respect to enforcement of the federal Indian Child Welfare Act and federal Multi-Ethnic Placement Act of 1994; repealing s. 39.824(1), F.S.; repealing a provision requesting the Supreme Court to adopt rules of juvenile procedure for purposes of pt. XI, ch. 39, relating to guardians ad litem and guardian advocates; amending s. 63.167, F.S.; repealing rulemaking authority of the Department of Children and Family Services relating to the establishment and operation of the state adoption information center; repealing s. 88.9051, F.S., relating to authority of the Department of Revenue to adopt rules to implement the Uniform Interstate Family Support Act; amending ss. 97.026, 97.0555, and 97.061, F.S.; repealing rulemaking authority of the Department of State under the Election Code; repealing s. 101.56062(3), F.S.; repealing rulemaking authority of the department relating to standards for accessible voting systems; amending ss. 103.101 and 106.165, F.S.; repealing rulemaking authority of the department relating to conduct of the presidential preference primary and use of closed captioning and descriptive narrative in television broadcasts; amending s. 110.1055, F.S., relating to rulemaking authority of the Department of Management Services with respect to chapter 110, relating to state employment; deleting obsolete language; repealing s. 110.1099(5), F.S.; repealing rulemaking authority of the department relating to education and training opportunities for state employees; repealing s. 110.1228(7), F.S.; repealing rulemaking authority of the department relating to participation in the state group health insurance and prescription drug coverage programs by small counties, small municipalities, and district school boards located in small counties; amending s. 110.12301, F.S.; repealing rulemaking authority of the department relating to dependent eligibility verification services for the state group insurance program; repealing s. 112.1915(4), F.S.; repealing rulemaking authority of the State Board of Education relating to death benefits for teachers and school administrators; amending s. 118.12, F.S.; repealing rulemaking authority of the Department of Revenue relating to certification of a civil-law notary's authority; repealing s. 121.085(1), F.S.; repealing authority of the Department of Management Services relating to submission of information necessary to establish a member's claim of creditable service under the Florida Retirement System; repealing s. 121.1001(4)(b), F.S.; repealing rulemaking authority of the Division of Retirement relating to administration of the Florida Retirement System Preservation of Benefits Plan; repealing s. 121.4503(3), F.S.; repealing rulemaking authority of the Department of Management Services relating to the Florida Retirement System Contributions Clearing Trust Fund; amending s. 121.5911, F.S.; deleting rulemaking authority of the department relating to maintaining the qualified status of the disability retirement program and the Florida Retirement System Pension Plan; repealing s. 125.902(4), F.S.; repealing rulemaking authority of the Department of Children and Family Services relating to children's services council or juvenile welfare board incentive grants; repealing s. 154.503(4), F.S.; repealing rulemaking authority of the Department of Health relating to the Primary Care for Children and Families Challenge Grant Program; amending s. 159.8081, F.S.; repealing rulemaking authority of the Department of Economic Opportunity relating to the manufacturing facility bond pool; amending s. 159.8083, F.S.; repealing rulemaking authority of the department relating to the Florida First Business allocation pool; repealing s. 159.825(3), F.S.; repealing rulemaking authority of the State Board of Administration relating to terms of bonds; repealing s. 161.75, F.S.; repealing rulemaking authority of the Department of Environmental Regulation and the Fish and Wildlife Conservation Commission relating to the Oceans and Coastal Resources Act; repealing s. 163.462, F.S.; repealing rulemaking authority of the Department

of Community Affairs relating to the Community Redevelopment Act of 1969; repealing s. 163.517(6), F.S.; repealing rulemaking authority of the Department of Legal Affairs relating to the Safe Neighborhoods Program; repealing s. 175.341(2), F.S.; repealing rulemaking authority of the Division of Retirement relating to firefighter pensions; repealing s. 177.504(2)(e), F.S.; repealing rulemaking authority of the Department of Environmental Protection relating to the Florida Public Land Survey Restoration and Perpetuation Act; repealing s. 185.23(2), F.S.; repealing rulemaking authority of the Division of Retirement relating to municipal police pensions; repealing s. 255.25001(2), F.S.; repealing rulemaking authority of the Department of Management Services relating to determining whether a lease-purchase of a state-owned office building is in the best interests of the state; repealing s. 257.34(7), F.S.; repealing rulemaking authority of the Division of Library and Information Services of the Department of State relating to the Florida International Archive and Repository; repealing s. 364.0135(6), F.S.; repealing rulemaking authority of the Department of Management Services relating to the promotion of broadband adoption; amending s. 366.85, F.S.; repealing rulemaking authority of the Division of Consumer Services of the Department of Agriculture and Consumer Services relating to the Florida Energy Efficiency and Conservation Act; repealing s. 409.5092, F.S.; repealing rulemaking authority of the Department of Children and Family Services relating to permission for weatherization; amending s. 411.01, F.S.; limiting rulemaking authority of the Office of Early Learning relating to school readiness programs and early learning coalitions; repealing s. 411.01013(7), F.S.; repealing rulemaking authority of the office relating to the prevailing market rate schedule; repealing s. 411.0103(3), F.S.; repealing rulemaking authority of the office relating to the Teacher Education and Compensation Helps (TEACH) scholarship program; repealing s. 411.0104(3), F.S.; repealing rulemaking authority of the office relating to Early Head Start collaboration grants; amending s. 501.142, F.S.; repealing rulemaking authority of the Department of Agriculture and Consumer Services relating to retail sales establishments and authority to sanction violations of such rules; amending s. 985.682, F.S.; conforming a cross-reference; providing an effective date.

—was read the third time by title.

Representative Gaetz offered the following:

(Amendment Bar Code: 456907)

Amendment 3 (with title amendment)—Remove lines 865-945

TITLE AMENDMENT

Remove lines 163-174 and insert:
permission for weatherization; amending s.

Rep. Gaetz moved the adoption of the amendment, which was adopted by the required two-thirds vote.

The question recurred on the passage of **CS/HB 7055**. The vote was:

Session Vote Sequence: 1025

Speaker Cannon in the Chair.

Yeas—81

Adkins	Burgin	Eisnaugle	Harrell
Ahern	Caldwell	Ford	Harrison
Albritton	Cannon	Fresen	Holder
Artiles	Coley	Frishe	Hooper
Aubuchon	Corcoran	Gaetz	Horner
Baxley	Costello	Glorioso	Hudson
Bembry	Crisafulli	Gonzalez	Hukill
Boyd	Davis	Goodson	Ingram
Brandes	Diaz	Grant	Kreegel
Brodeur	Dorworth	Grimsley	Legg
Broxson	Drake	Hager	Logan

Lopez-Cantera	Oliva	Renuart	Van Zant
Mayfield	Passidomo	Roberson, K.	Weatherford
McBurney	Patronis	Rooney	Weinstein
McKeel	Perry	Schenck	Williams, T.
Metz	Pilon	Smith	Wood
Moraitis	Plakon	Snyder	Workman
Nehr	Porter	Stargel	Young
Nelson	Precourt	Steube	
Núñez	Proctor	Tobia	
O'Toole	Ray	Trujillo	

Nays—33

Abruzzo	Fullwood	Perman	Taylor
Berman	Garcia	Porth	Thompson, G.
Bernard	Gibbons	Reed	Thurston
Bullard	Jenne	Rehwinkel Vasilinda	Waldman
Campbell	Jones	Rogers	Watson
Chestnut	Julien	Saunders	Williams, A.
Clarke-Reed	Kiar	Slosberg	
Clemens	Kriseman	Soto	
Cruz	Pafford	Stafford	

Votes after roll call:

Nays—Rouson

So the bill passed, as amended, and was immediately certified to the Senate after engrossment.

CS/CS/CS/HB 1205—A bill to be entitled An act relating to drug-free workplaces; amending s. 112.0455, F.S.; revising the definition of the term "job applicant," defining the term "random testing," and removing the definition of the term "safety-sensitive position" for purposes of the Drug-Free Workplace Act; requiring drug testing to be conducted within each state agency's appropriation; authorizing a state agency to conduct random drug testing every 3 months; providing testing selection requirements; removing provisions prohibiting a state agency from discharging or disciplining an employee under certain circumstances based on the employee's first positive confirmed drug test; removing provisions limiting the circumstances under which an agency may discharge an employee in a special risk or safety-sensitive position; providing that an agency may discharge or discipline an employee following a first-time positive confirmed drug test result; authorizing an agency to refer an employee to an employee assistance program or an alcohol and drug rehabilitation program if the employee is not discharged; requiring participation in an employee assistance program or an alcohol and drug rehabilitation program at the employee's own expense or at the expense of a health insurance plan; requiring the employer to determine if the employee is able to safely and effectively perform the job duties assigned to the employee while the employee is participating in the employee assistance program or alcohol and drug rehabilitation program; deeming that certain specified job activities cannot be performed safely and effectively while the employee is participating in the employee assistance program or alcohol and drug rehabilitation program; requiring the employer to transfer the employee to a job assignment that he or she can perform safely and effectively while the employee participates in the employee assistance program or alcohol and drug rehabilitation program; requiring the employer to place the employee on leave status while the employee is participating in an employee assistance program or an alcohol and drug rehabilitation program if such a position is unavailable; authorizing the employee to use accumulated leave credits before being placed on leave without pay; amending s. 440.102, F.S.; revising the definition of the term "job applicant" as it pertains to a public employer; removing the definition of the term "safety-sensitive position" and replacing it with the definition for the term "mandatory-testing position;" providing that an employer remains qualified for an insurer rate plan that discounts rates for workers' compensation and employer's liability insurance policies if the employer maintains a drug-free workplace program that is broader in scope than that provided for by the standards and procedures established in the act; authorizing a public employer, using an unbiased selection procedure, to conduct random drug tests of employees occupying mandatory-testing or special-risk positions if the testing is performed in accordance with drug-testing rules adopted by the Agency for Health Care Administration;

requiring that a public sector employer assign a public sector employee to a position other than a mandatory-testing position if the employee enters an employee assistance program or drug and alcohol rehabilitation program; amending s. 944.474, F.S.; revising provisions governing employees of the state correctional system, to conform to changes made by the act; providing an effective date.

—was read the third time by title.

Representative Pafford offered the following:

(Amendment Bar Code: 200623)

Amendment 3 (directory and title amendments)—Between lines 543 and 544, insert:

(16) LEGISLATURE, GOVERNOR, CABINET, AND STAFF.—The Legislature and the Governor shall implement a drug-free workplace program under this section. Members of the Legislature and legislative staff members, the Governor and the Cabinet, and professional staff of the Executive Office of the Governor and the Cabinet shall be subject to testing under the program.

DIRECTORY AMENDMENT

Remove line 444 and insert:

(11) of section 440.102, Florida Statutes, are amended, and subsection (16) is added to that section, to read:

TITLE AMENDMENT

Remove line 66 and insert:

rehabilitation program; requiring the Legislature and the Governor to implement a drug-free workplace program; providing that members of the Legislature and legislative staff members, the Governor and the Cabinet, and professional staff of the Executive Office of the Governor and the Cabinet shall be subject to the program; amending s. 944.474, F.S.;

Rep. Pafford moved the adoption of the amendment.

On motion by Rep. Smith, consideration of **Amendment 3** was temporarily postponed. The vote was:

Session Vote Sequence: 1026

Speaker Cannon in the Chair.

Yeas—79

Adkins	Dorworth	Ingram	Precourt
Ahern	Drake	Legg	Proctor
Albritton	Eisnagle	Logan	Ray
Artiles	Ford	Lopez-Cantera	Renuart
Aubuchon	Fresen	Mayfield	Roberson, K.
Baxley	Frishe	McBurney	Rooney
Bileca	Gaetz	McKeel	Schenck
Boyd	Glorioso	Metz	Smith
Brandes	Gonzalez	Moraitis	Snyder
Brodeur	Goodson	Nehr	Stargel
Broxson	Grant	Nelson	Tobia
Burgin	Grimsley	Núñez	Trujillo
Caldwell	Hager	O'Toole	Van Zant
Cannon	Harrell	Oliva	Weatherford
Coley	Harrison	Passidomo	Weinstein
Corcoran	Holder	Patronis	Williams, T.
Costello	Hooper	Perry	Wood
Crisafulli	Horner	Pilon	Workman
Davis	Hudson	Plakon	Young
Diaz	Hukill	Porter	

Nays—37

Abruzzo	Berman	Bullard	Chestnut
Bembry	Bernard	Campbell	Clarke-Reed

Clemens	Kiar	Rogers	Thompson, G.
Cruz	Kreegel	Rouson	Thurston
Fullwood	Kriseman	Saunders	Waldman
Garcia	Pafford	Schwartz	Watson
Gibbons	Perman	Slosberg	Williams, A.
Jenne	Porth	Soto	
Jones	Reed	Stafford	
Julien	Rehwinkel Vasilinda	Taylor	

REPRESENTATIVE PRECOURT IN THE CHAIR

The question recurred on the passage of **CS/CS/CS/HB 1205**. The vote was:

Session Vote Sequence: 1027

Representative Precourt in the Chair.

Yeas—79

Adkins	Drake	Logan	Ray
Ahern	Eisnaugle	Lopez-Cantera	Renuart
Albritton	Ford	Mayfield	Roberson, K.
Artiles	Fresen	McBurney	Rooney
Aubuchon	Frishe	McKeel	Rouson
Baxley	Gaetz	Metz	Schenck
Bileca	Glorioso	Moraitis	Smith
Boyd	Gonzalez	Nehr	Snyder
Brodeur	Goodson	Nelson	Stargel
Broxson	Grant	Nuñez	Steube
Burgin	Hager	O'Toole	Tobia
Caldwell	Harrell	Oliva	Trujillo
Cannon	Harrison	Passidomo	Van Zant
Coley	Holder	Patronis	Weatherford
Corcoran	Horner	Perry	Weinstein
Costello	Hudson	Pilon	Williams, T.
Crisafulli	Hukill	Plakon	Wood
Davis	Ingram	Porter	Workman
Diaz	Julien	Precourt	Young
Dorworth	Kreegel	Proctor	

Nays—37

Abruzzo	Cruz	Pafford	Stafford
Bembry	Fullwood	Perman	Taylor
Berman	Garcia	Porth	Thompson, G.
Bernard	Gibbons	Reed	Thurston
Brandes	Hooper	Rehwinkel Vasilinda	Waldman
Bullard	Jenne	Rogers	Watson
Campbell	Jones	Saunders	Williams, A.
Chestnut	Kiar	Schwartz	
Clarke-Reed	Kriseman	Slosberg	
Clemens	Legg	Soto	

So the bill passed, as amended, and was immediately certified to the Senate.

CS/CS/CS/HB 903—A bill to be entitled An act relating to charter schools; amending s. 1002.33, F.S.; authorizing a charter school operated by a Florida College System institution to serve students in kindergarten through grade 12 if certain criteria are met; clarifying that the Charter School Appeal Commission shall not be convened when denial of an application submitted by a high-performing charter school is appealed; requiring charter schools to maintain an Internet website that enables the public to obtain information regarding the school, its personnel, and its programs; requiring that information regarding any entity that owns, operates, or manages the school be posted on the website; revising provisions requiring compliance with statutes relating to instructional personnel compensation and contracts, workforce reductions, and instructional personnel and school administrator performance evaluations; providing guidelines for construing statutes for which compliance is required; providing requirements for the reimbursement of federal funds to a charter school by its sponsor; requiring charter school expenditures to comply with rules and regulations to be eligible for reimbursement; requiring approval of the use of funds; establishing criteria

for charter schools serving students with disabilities; authorizing certain charter schools serving students with disabilities to increase enrollment, expand grade levels served, submit a quarterly financial statement, consolidate the charters of certain charter schools, and receive certain modification or renewal of its charter; providing for calculation of an administrative fee; amending s. 1002.331, F.S., relating to high-performing charter schools; requiring the Commissioner of Education to annually review a high-performing charter school's eligibility for high-performing status; requiring declassification of high-performing charter schools that fail to maintain eligibility; amending s. 1002.332, F.S., relating to high-performing charter school systems; requiring the commissioner to annually review a high-performing charter school system's eligibility for high-performing status; requiring declassification of high-performing charter school systems that fail to maintain eligibility; amending s. 1002.34, F.S.; conforming a cross-reference; providing an effective date.

—was read the third time by title.

Representative Soto offered the following:

(Amendment Bar Code: 920555)

Amendment 1 (directory and title amendments)—Remove lines 304-336

DIRECTORY AMENDMENT

Remove lines 53-54 and insert:
(b), (c), and (d) of subsection (6), and paragraph (c) of subsection (17) of section 1002.33,

TITLE AMENDMENT

Remove lines 15-20 and insert:
providing

Rep. Soto moved the adoption of the amendment, which failed of adoption. The vote was:

Session Vote Sequence: 1028

Representative Precourt in the Chair.

Yeas—41

Abruzzo	Cruz	Pafford	Soto
Aubuchon	Fullwood	Perman	Stafford
Baxley	Garcia	Porth	Taylor
Bembry	Gibbons	Proctor	Thompson, G.
Berman	Goodson	Reed	Thurston
Bernard	Jenne	Rehwinkel Vasilinda	Waldman
Bullard	Jones	Rogers	Watson
Campbell	Julien	Rouson	Williams, A.
Chestnut	Kiar	Saunders	
Clarke-Reed	Kriseman	Schwartz	
Clemens	Moraitis	Slosberg	

Nays—71

Adkins	Coley	Glorioso	Legg
Ahern	Corcoran	Gonzalez	Logan
Albritton	Costello	Grant	Lopez-Cantera
Artiles	Crisafulli	Hager	Mayfield
Bileca	Davis	Harrison	McKeel
Boyd	Diaz	Holder	Metz
Brandes	Dorworth	Hooper	Nehr
Brodeur	Drake	Horner	Nelson
Broxson	Eisnaugle	Hudson	Nuñez
Burgin	Ford	Hukill	O'Toole
Caldwell	Fresen	Ingram	Oliva
Cannon	Frishe	Kreegel	Passidomo

Patronis	Ray	Stargel	Weinstein
Perry	Renuart	Steube	Williams, T.
Pilon	Roberson, K.	Tobia	Wood
Plakon	Rooney	Trujillo	Workman
Porter	Schenck	Van Zant	Young
Precourt	Snyder	Weatherford	

Votes after roll call:

Yeas—Smith

Nays—McBurney

Representative Adkins offered the following:

(Amendment Bar Code: 226293)

Amendment 2—Remove line 328 and insert:

7. Section 1012.34(2), (3), and (7) ~~1012.34~~, relating to ~~the substantive~~

Rep. Adkins moved the adoption of the amendment, which was adopted by the required two-thirds vote.

The question recurred on the passage of **CS/CS/CS/HB 903**. The vote was:

Session Vote Sequence: 1029

Representative Precourt in the Chair.

Yeas—86

Adkins	Dorworth	Kreegel	Ray
Ahern	Drake	Legg	Reed
Albritton	Eisnaugle	Logan	Rehwinkel Vasilinda
Artiles	Ford	Lopez-Cantera	Renuart
Aubuchon	Fresen	Mayfield	Roberson, K.
Baxley	Frishe	McBurney	Rooney
Bembry	Gaetz	McKeel	Schenck
Bileca	Garcia	Metz	Smith
Boyd	Glorioso	Moraitis	Snyder
Brandes	Gonzalez	Nehr	Stargel
Brodeur	Grant	Nelson	Steube
Broxson	Hager	Núñez	Tobia
Burgin	Harrell	O'Toole	Trujillo
Caldwell	Harrison	Oliva	Van Zant
Campbell	Holder	Passidomo	Waldman
Cannon	Hooper	Patronis	Weatherford
Coley	Homer	Perry	Williams, T.
Corcoran	Hudson	Pilon	Wood
Costello	Hukill	Plakon	Workman
Crisafulli	Ingram	Porter	Young
Davis	Julien	Precourt	
Diaz	Kiar	Proctor	

Nays—30

Abruzzo	Fullwood	Porth	Taylor
Berman	Gibbons	Rogers	Thompson, G.
Bernard	Goodson	Rouson	Thurston
Bullard	Jenne	Saunders	Watson
Chestnut	Jones	Schwartz	Weinstein
Clarke-Reed	Kriseman	Slosberg	Williams, A.
Clemens	Pafford	Soto	
Cruz	Perman	Stafford	

Votes after roll call:

Yeas to Nays—Campbell

So the bill passed, as amended, and was immediately certified to the Senate after engrossment.

Consideration of **CS/CS/CS/HB 859** was temporarily postponed.

HB 7129—A bill to be entitled An act relating to state universities of academic and research excellence and national preeminence; creating s. 1001.765, F.S.; providing a short title; establishing a collaborative partnership between the Board of Governors of the State University System

and the Legislature to elevate the academic and research excellence and national preeminence of the highest-performing state research universities; authorizing a state research university that meets specified criteria, verified by the Board of Governors, to establish student tuition and fees at differentiated and market rates; providing certain conditions for implementing tuition and fee increases; establishing academic and research excellence standards for state universities of national preeminence; specifying requirements relating to debt service obligations; establishing procedures to obtain certain budget authorization for the 2012-2013 fiscal year; establishing procedures for institutional legislative budget requests for certain tuition and fee increases; authorizing state universities of national preeminence to establish required courses for certain students; encouraging the Board of Governors to identify, grant, and recommend flexibilities to achieve goals and improve the national rankings of programs of excellence; requiring the Board of Governors to oversee implementation; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1030

Representative Precourt in the Chair.

Yeas—85

Adkins	Drake	Lopez-Cantera	Roberson, K.
Ahern	Eisnaugle	Mayfield	Rooney
Albritton	Ford	McBurney	Rouson
Artiles	Fresen	McKeel	Saunders
Baxley	Frishe	Metz	Schenck
Bernard	Gaetz	Moraitis	Smith
Bileca	Gibbons	Nehr	Snyder
Boyd	Glorioso	Nelson	Stargel
Brandes	Gonzalez	Núñez	Steube
Brodeur	Goodson	O'Toole	Trujillo
Broxson	Grant	Oliva	Van Zant
Burgin	Hager	Passidomo	Waldman
Caldwell	Harrell	Patronis	Weatherford
Cannon	Harrison	Perry	Weinstein
Chestnut	Holder	Pilon	Williams, A.
Coley	Hooper	Plakon	Williams, T.
Corcoran	Horner	Porter	Wood
Costello	Hudson	Precourt	Workman
Crisafulli	Ingram	Proctor	Young
Davis	Julien	Ray	
Diaz	Legg	Rehwinkel Vasilinda	
Dorworth	Logan	Renuart	

Nays—28

Abruzzo	Cruz	Kriseman	Soto
Bembry	Fullwood	Pafford	Stafford
Berman	Hukill	Perman	Taylor
Bullard	Jenne	Porth	Thompson, G.
Campbell	Jones	Rogers	Thurston
Clarke-Reed	Kiar	Schwartz	Tobia
Clemens	Kreegel	Slosberg	Watson

Votes after roll call:

Nays—Reed

Yeas to Nays—Eisnaugle

So the bill passed, as amended, and was immediately certified to the Senate.

CS/CS/CS/HB 1403—A bill to be entitled An act relating to high school athletics; amending s. 1002.20, F.S.; conforming provisions; amending s. 1006.20, F.S.; authorizing high schools, including charter schools, virtual schools, and home education cooperatives, to become members of the FHSAA; prohibiting the FHSAA from taking retributory or discriminatory action against any of its member schools under certain circumstances; prohibiting the FHSAA from withholding approval of any other athletic organization that governs athletic competition in the state; requiring the FHSAA to adopt bylaws to allow a student who transfers schools to be

eligible to participate in athletics if certain conditions are met; authorizing certain penalties for a recruiting violation; requiring the FHSAA to adopt bylaws to regulate investigators and sanction coaches who commit major violations; specifying sanctions and procedures; requiring the FHSAA to adopt bylaws establishing the process and standards by which determinations of eligibility are made; authorizing the FHSAA to adopt bylaws providing certain procedural safeguards; prohibiting FHSAA bylaws from prospectively limiting the competition of certain student athletes and from unfairly punishing student athletes for violations perpetrated by a teammate, coach, or administrator; providing requirements for the forfeiture of contests under certain conditions; requiring an expedited appeals process on determinations of ineligibility; authorizing a school or student athlete filing an appeal to present information and evidence; providing requirements for de novo decisions on appeal; deleting provisions relating to rule adoption; amending s. 1012.468, F.S.; providing background screening exceptions for certain investigators for the FHSAA; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1031

Representative Precourt in the Chair.

Yeas—78

Adkins	Drake	Kreegel	Porth
Ahern	Eisnagle	Legg	Precourt
Albritton	Ford	Logan	Proctor
Artiles	Fresen	Lopez-Cantera	Ray
Aubuchon	Frishe	Mayfield	Reed
Baxley	Fullwood	McBurney	Roberson, K.
Bileca	Gaetz	McKeel	Rooney
Boyd	Gonzalez	Metz	Smith
Brandes	Goodson	Moraitis	Snyder
Brodeur	Grant	Nehr	Stargel
Broxson	Hager	Nelson	Steube
Burgin	Harrell	Núñez	Tobia
Caldwell	Harrison	O'Toole	Van Zant
Cannon	Holder	Oliva	Weatherford
Corcoran	Hooper	Passidomo	Williams, T.
Costello	Horner	Patronis	Wood
Crisafulli	Hudson	Perry	Workman
Davis	Hukill	Pilon	Young
Diaz	Ingram	Plakon	
Dorworth	Julien	Porter	

Nays—34

Abruzzo	Coley	Perman	Taylor
Bembry	Cruz	Rehwinkel	Vasilinda
Berman	Garcia	Rogers	Thompson, G.
Bernard	Gibbons	Rouson	Thurston
Bullard	Jenne	Saunders	Waldman
Campbell	Jones	Schwartz	Watson
Chestnut	Kiar	Slosberg	Weinstein
Clarke-Reed	Kriseman	Soto	Williams, A.
Clemens	Pafford	Stafford	

Votes after roll call:

Yeas—Renuart

Nays—Trujillo

So the bill passed, as amended, and was immediately certified to the Senate.

Remarks

The Speaker recognized Representative Bembry, who gave brief farewell remarks.

THE SPEAKER IN THE CHAIR

Recessed

The House recessed at 11:45 a.m., to reconvene at 1:15 p.m., or upon call of the Chair.

Reconvened

The House was called to order by the Speaker at 1:15 p.m. A quorum was present [Session Vote Sequence: 1032].

CS/CS/HB 119—A bill to be entitled An act relating to motor vehicle insurance; amending s. 316.066, F.S.; revising provisions relating to the contents of written reports of motor vehicle crashes; amending s. 400.991, F.S.; requiring that an application for licensure or exemption from licensure as a health care clinic include a specified statement regarding insurance fraud; amending s. 626.989, F.S.; providing that knowingly submitting false, misleading, or fraudulent documents relating to licensure as a health care clinic or submitting a claim relating to the Florida Motor Vehicle Medical Care Coverage Law is a fraudulent insurance act under certain conditions; amending s. 627.736, F.S.; providing limitations on attorney fees for certain actions under the Florida Motor Vehicle No-Fault Law; specifying that the limitations on attorney fee awards does not limit the attorney fees an insured may pay her or his attorney; creating s. 627.748, F.S.; designating specified provisions as the Florida Motor Vehicle No-Fault Medical Care Coverage Law; providing legislative findings; creating s. 627.7481, F.S.; providing purposes; creating s. 627.74811, F.S.; providing legislative intent that provisions, schedules, or procedures are to be given full force and effect regardless of their express inclusion in insurer forms; creating s. 627.7482, F.S.; providing definitions; creating s. 627.7483, F.S.; requiring every owner or registrant of a motor vehicle required to be registered and licensed in this state to maintain specified security; providing exceptions; requiring every nonresident owner or registrant of a motor vehicle that has been physically present within this state for a specified period to maintain security; specifying means by which such security is provided; providing an exemption; creating s. 627.7484, F.S.; providing requirements for filing and maintaining proof of security; providing penalties; creating s. 627.7485, F.S.; requiring that insurance policies provide medical care coverage to specified persons; providing limits of coverage; specifying limits for medical, disability, and death benefits; providing restrictions on insurers with respect to provision of required benefits; authorizing insurers writing motor vehicle liability insurance to offer additional first-party motor vehicle coverages; prohibiting requiring purchase of other motor vehicle coverage as a condition for providing such benefits; prohibiting insurers from requiring the purchase of property damage liability insurance exceeding a specified amount in conjunction with medical care coverage insurance; providing that failure to comply with specified availability requirements constitutes an unfair method of competition or an unfair or deceptive act or practice; providing penalties; specifying benefits an insurer may exclude; providing procedure with respect to such exclusions; specifying when benefits are due from an insurer; prohibiting insurers from obtaining liens on recovery of special damages in tort claims for medical care coverage benefits; providing that benefits under the Florida Motor Vehicle No-Fault Medical Care Coverage Law are subject to the Medicaid program in specified circumstances; requiring that an insurer repay any benefits covered by the Medicaid program within a specified period; requiring that an insurer provide a claimant an opportunity to revise claims that contain errors; specifying when benefits are overdue; requiring insurers to hold a specified amount of benefits in reserve for a certain time for the payment of providers; providing for interest on overdue payments; providing for tolling the time period in which medical care coverage benefits are required to be paid when the insurer has reasonable belief that fraud has been committed; specifying injuries for which an insurer must pay medical care coverage benefits; disallowing benefits to an insured who has committed insurance fraud; providing that a person or entity lawfully rendering treatment to an injured person for a bodily injury covered by medical care coverage may charge only a reasonable amount for services and care; providing that the insurer may pay such charges directly to the person or entity lawfully rendering such treatment; providing limits on such charges; providing for determination of

reasonableness of charges; providing that payments made by an insurer pursuant to the schedule of maximum charges, or for lesser amounts billed by providers, are considered reasonable; establishing a schedule of maximum charges; specifying that reimbursement under a schedule of maximum charges that is based on Medicare is to be calculated under the applicable Medicare schedule in effect on a specified date each year; authorizing insurers to use all Medicare coding policies and CMS payment methodologies in determining reimbursement under a schedule of maximum charges that is Medicare-based; establishing limits on specified services and care; providing conditions under which an insurer or insured is not required to pay a claim or charges; requiring the Department of Health to adopt, by rule, a list of diagnostic tests deemed not to be medically necessary and to periodically revise the list; providing procedures and requirements with respect to statements of and bills for charges for emergency services and care; directing the Financial Services Commission to adopt by rule a disclosure and acknowledgment form to be countersigned by claimants upon receipt of medical services; providing procedures and requirements with respect to investigation of claims of improper billing by a physician or other medical provider; prohibiting insurers from systematically downcoding with intent to deny reimbursement; requiring insureds to comply with all terms of the medical care coverage policy, including submission to examinations under oath; limiting the scope of questioning during such examinations under oath; providing that compliance with policy terms is a condition precedent to the receipt of medical care coverage benefits; providing that it is an unfair method of competition or an unfair or deceptive trade practice for an insurer, as a general business practice, to request examinations under oath without a reasonable basis; providing for insurers to inspect the physical premises of providers seeking payment of medical care coverage benefits; providing that when an insured fails to appear for two or more mental or physical examinations, the medical care coverage carrier is not liable for subsequent medical care coverage benefits; creating a rebuttable presumption that an insured's failure to appear for two examinations is an unreasonable refusal to appear; creating an attorney fee cap; prohibiting the use of contingency risk multipliers in calculating attorney fee awards; requiring that an insurer must be provided with written notice of an intent to initiate litigation as a condition precedent to filing any action for benefits; providing requirements with respect to a demand letter; providing procedures and requirements with respect to payment of an overdue claim; providing for the tolling of the time period for an action against an insurer; providing that failure to pay valid claims with specified frequency constitutes an unfair or deceptive trade practice; providing penalties; providing circumstances under which an insurer has a cause of action; providing for fraud advisory notice; requiring that all claims related to the same health care provider for the same injured person be brought in one action unless good cause is shown; authorizing the electronic transmission of notices and communications under certain conditions; creating s. 627.7486, F.S.; providing an exemption from tort liability for certain damages in legal actions under the Florida Motor Vehicle No-Fault Medical Care Coverage Law in certain circumstances; providing for recovery of tort damages in certain circumstances; providing for motions to dismiss action on specified grounds; prohibiting the award of punitive damages; creating s. 627.7487, F.S.; providing for optional deductibles and limitations of coverage for medical care coverage policies; requiring a specified notice to policyholders; creating s. 627.7488, F.S.; requiring the commission to adopt by rule a form for the notification of insureds of their right to receive medical care coverage benefits; specifying contents of such notice; providing requirements for the mailing or delivery of such notice; creating s. 627.7489, F.S.; providing for mandatory joinder of specified claims; creating s. 627.749, F.S.; providing for an insurer's right of reimbursement for medical care benefits paid to a person injured by a commercial motor vehicle under specified circumstances; providing an exception; creating s. 627.7491, F.S.; providing for application of the Florida Motor Vehicle No-Fault Medical Care Coverage Law; providing for requirements for forms and rates for policies issued or renewed on or after a specified date; requiring a specified notice to existing policyholders; amending ss. 316.646, 318.18, 320.02, 320.0609, 320.27, 320.771, 322.251, 322.34, 324.021, 324.0221, 324.032, 324.171, 400.9935, 409.901, 409.910, 456.057, 456.072, 626.9541, 627.06501, 627.0652, 627.0653, 627.4132, 627.6482,

627.7263, 627.727, 627.7275, 627.728, 627.7295, 627.8405, 627.915, 628.909, 705.184, and 713.78, F.S.; conforming provisions; amending s. 817.234, F.S.; providing that it is insurance fraud to present a claim for personal injury protection benefits payable to a person or entity that knowingly submitted false, misleading, or fraudulent applications or other documents relating to licensure as a health care clinic; conforming provisions; providing a directive to the Division of Statutory Revision; providing applicability; providing for severability; providing effective dates.

—was read the third time by title.

Representative Boyd offered the following:

(Amendment Bar Code: 656145)

Amendment 12—Remove line 723 and insert:

(b) Medical benefits.—Up to a limit of \$2,500, 80 percent

Rep. Boyd moved the adoption of the amendment, which was adopted.

Representative Nehr offered the following:

(Amendment Bar Code: 958057)

Amendment 13—Between lines 738 and 739, insert:

4. All medically necessary services provided by an acupuncturist in this state licensed under chapter 457. Coverage under this subparagraph is limited to no more than 15 treatments at no more than \$100 per treatment within a 15-week period after initial treatment by the licensed acupuncturist.

Rep. Nehr moved the adoption of the amendment. Subsequently, **Amendment 13** was withdrawn.

Representatives Horner, Ahern, Artiles, Bernard, Brandes, Caldwell, Clemens, Cruz, Diaz, Fresen, Gonzalez, Grant, Hager, Harrison, Holder, Jenne, Julien, Kriseman, Mayfield, Nehr, Nuñez, Pafford, Pilon, Perry, Rehwinkel Vasilinda, Rooney, Soto, Smith, Stargel, Van Zant, Waldman, Wood, and Young offered the following:

(Amendment Bar Code: 807803)

Amendment 14 (with title amendment)—Remove line 2754 and insert: s. 324.022 and bodily injury liability insurance of at least \$25,000 per person and \$50,000 per occurrence.

TITLE AMENDMENT

Remove line 183 and insert:

627.7263, and 627.727, F.S.; conforming provisions; amending s. 627.7275, F.S.; conforming provisions; specifying required bodily injury liability insurance coverage amounts; amending ss. 627.728, 627.7295,

Rep. Horner moved the adoption of the amendment. Subsequently, **Amendment 14** was withdrawn.

The question recurred on the passage of **CS/CS/HB 119**. The vote was:

Session Vote Sequence: 1033

Speaker Cannon in the Chair.

Yeas—85

Adkins	Baxley	Brandes	Cannon
Ahern	Bembry	Brodeur	Chestnut
Albritton	Bernard	Broxson	Coley
Artiles	Bileca	Burgin	Corcoran
Aubuchon	Boyd	Caldwell	Costello

Crisafulli	Holder	Nelson	Smith
Davis	Hooper	Nuñez	Snyder
Diaz	Horner	O'Toole	Stargel
Dorworth	Hudson	Oliva	Steube
Drake	Hukill	Passidomo	Taylor
Eisnaugle	Ingram	Patronis	Tobia
Ford	Julien	Perry	Trujillo
Fresen	Kreegel	Pilon	Van Zant
Frishe	Legg	Plakon	Weatherford
Gaetz	Logan	Porter	Weinstein
Glorioso	Lopez-Cantera	Precourt	Williams, T.
Gonzalez	Mayfield	Proctor	Wood
Goodson	McBurney	Ray	Workman
Grant	McKeel	Renuart	Young
Hager	Metz	Roberson, K.	
Harrell	Moraitis	Rooney	
Harrison	Nehr	Schenck	

Nays—30

Abruzzo	Garcia	Porth	Stafford
Berman	Gibbons	Reed	Thompson, G.
Bullard	Jenne	Rogers	Thurston
Campbell	Jones	Rouson	Waldman
Clarke-Reed	Kiar	Saunders	Watson
Clemens	Kriseman	Schwartz	Williams, A.
Cruz	Pafford	Slosberg	
Fullwood	Perman	Soto	

Votes after roll call:

Yeas to Nays—Taylor

So the bill passed, as amended, and was immediately certified to the Senate after engrossment.

Remarks

The Speaker recognized Representative Glorioso, who gave brief farewell remarks.

The Speaker recognized Representative Thompson, who gave brief farewell remarks.

CS/HB 1207—A bill to be entitled An act relating to vehicles with autonomous technology; defining the term "autonomous technology"; providing legislative intent and findings; amending s. 316.003, F.S.; defining the terms "autonomous vehicle" and "autonomous technology" when used in provisions for traffic control; creating s. 316.85, F.S.; authorizing a person who possesses a valid driver license to operate an autonomous vehicle; specifying that the person who causes the vehicle's autonomous technology to engage is the operator; creating s. 319.145, F.S.; requiring an autonomous vehicle registered in this state to meet federal standards and regulations for a motor vehicle; specifying certain requirements for such vehicle; providing for the application of certain federal regulations; authorizing the operation of vehicles equipped with autonomous technology by certain persons for testing purposes under certain conditions; requiring an instrument of insurance, surety bond, or self-insurance prior to the testing of a vehicle; directing the department to prepare a report on the safe testing and operation of vehicles equipped with autonomous technology and submit the report to the Legislature by a certain date; providing an effective date.

—was read the third time by title.

Representative Brandes offered the following:

(Amendment Bar Code: 095435)

Amendment 1 (with title amendment)—Remove lines 115-116 and insert:

the amount of \$5 million.

(2) The original manufacturer of a vehicle converted by a third party into an autonomous vehicle shall not be liable in, and shall have a defense to and be dismissed from, any legal action brought against the original manufacturer by

any person injured due to an alleged vehicle defect caused by the conversion of the vehicle, or by equipment installed by the converter, unless the alleged defect was present in the vehicle as originally manufactured.

(3) By February 12, 2014, the Department of Highway Safety

TITLE AMENDMENT

Remove line 21 and insert:

insurance prior to the testing of a vehicle; limiting liability of the original manufacturer of a vehicle converted to an autonomous vehicle; directing

Rep. Brandes moved the adoption of the amendment, which was adopted by the required two-thirds vote.

The question recurred on the passage of **CS/HB 1207**. The vote was:

Session Vote Sequence: 1034

Speaker Cannon in the Chair.

Yeas—112

Abruzzo	Dorworth	Legg	Roberson, K.
Adkins	Drake	Logan	Rogers
Albritton	Eisnaugle	Lopez-Cantera	Rooney
Artiles	Ford	Mayfield	Rouson
Aubuchon	Fresen	McBurney	Saunders
Baxley	Frishe	McKeel	Schenck
Bembry	Fullwood	Metz	Schwartz
Berman	Gaetz	Moraitis	Slosberg
Bernard	Garcia	Nehr	Smith
Bileca	Gibbons	Nelson	Snyder
Boyd	Glorioso	Nuñez	Soto
Brandes	Gonzalez	O'Toole	Stafford
Brodeur	Goodson	Oliva	Stargel
Broxson	Grant	Pafford	Steube
Bullard	Hager	Passidomo	Taylor
Burgin	Harrell	Patronis	Thompson, G.
Campbell	Harrison	Perman	Thurston
Cannon	Holder	Perry	Tobia
Chestnut	Hooper	Pilon	Trujillo
Clarke-Reed	Horner	Plakon	Van Zant
Clemens	Hudson	Porter	Waldman
Coley	Hukill	Porth	Watson
Corcoran	Ingram	Precourt	Weatherford
Costello	Jenne	Proctor	Weinstein
Crisafulli	Jones	Ray	Williams, T.
Cruz	Julien	Reed	Wood
Davis	Kiar	Rehwinkel	Workman
Diaz	Kreegel	Renuart	Young

Nays—None

Votes after roll call:

Yeas—Ahern, Williams, A.

So the bill passed, as amended, and was immediately certified to the Senate after engrossment.

CS/HJR 1003—A joint resolution proposing an amendment to Section 3 of Article VII and the creation of Section 32 of Article XII of the State Constitution to provide an additional exemption from ad valorem taxes on tangible personal property valued at more than \$25,000 but less than \$50,000, to authorize a county or municipality to provide an additional exemption from ad valorem taxation for tangible personal property by ordinance as provided by general law, and to provide an effective date.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 3 of Article VII and the creation of Section 32 of Article XII of the State Constitution are agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election:

ARTICLE VII
FINANCE AND TAXATION

SECTION 3. Taxes; exemptions.—

(a) All property owned by a municipality and used exclusively by it for municipal or public purposes shall be exempt from taxation. A municipality, owning property outside the municipality, may be required by general law to make payment to the taxing unit in which the property is located. Such portions of property as are used predominantly for educational, literary, scientific, religious or charitable purposes may be exempted by general law from taxation.

(b) There shall be exempt from taxation, cumulatively, to every head of a family residing in this state, household goods and personal effects to the value fixed by general law, not less than one thousand dollars, and to every widow or widower or person who is blind or totally and permanently disabled, property to the value fixed by general law not less than five hundred dollars.

(c) Any county or municipality may, for the purpose of its respective tax levy and subject to the provisions of this subsection and general law, grant community and economic development ad valorem tax exemptions to new businesses and expansions of existing businesses, as defined by general law. Such an exemption may be granted only by ordinance of the county or municipality, and only after the electors of the county or municipality voting on such question in a referendum authorize the county or municipality to adopt such ordinances. An exemption so granted shall apply to improvements to real property made by or for the use of a new business and improvements to real property related to the expansion of an existing business and shall also apply to tangible personal property of such new business and tangible personal property related to the expansion of an existing business. The amount or limits of the amount of such exemption shall be specified by general law. The period of time for which such exemption may be granted to a new business or expansion of an existing business shall be determined by general law. The authority to grant such exemption shall expire ten years from the date of approval by the electors of the county or municipality, and may be renewable by referendum as provided by general law.

(d) Any county or municipality may, for the purpose of its respective tax levy and subject to the provisions of this subsection and general law, grant historic preservation ad valorem tax exemptions to owners of historic properties. This exemption may be granted only by ordinance of the county or municipality. The amount or limits of the amount of this exemption and the requirements for eligible properties must be specified by general law. The period of time for which this exemption may be granted to a property owner shall be determined by general law.

(e)(1) By general law and subject to conditions specified therein, twenty-five thousand dollars of the assessed value of tangible personal property is subject to tangible personal property tax shall be exempt from ad valorem taxation. Tangible personal property is also exempt from ad valorem taxation if the assessed value of such property is greater than twenty-five thousand dollars but less than fifty thousand dollars.

(2) A county or municipality may, for the purposes of its respective tax levy, provide additional tangible personal property tax exemptions by ordinance, subject to this subsection and as provided in general law.

(f) There shall be granted an ad valorem tax exemption for real property dedicated in perpetuity for conservation purposes, including real property encumbered by perpetual conservation easements or by other perpetual conservation protections, as defined by general law.

(g) By general law and subject to the conditions specified therein, each person who receives a homestead exemption as provided in section 6 of this article; who was a member of the United States military or military reserves, the United States Coast Guard or its reserves, or the Florida National Guard; and who was deployed during the preceding calendar year on active duty outside the continental United States, Alaska, or Hawaii in support of military operations designated by the legislature shall receive an additional exemption equal to a percentage of the taxable value of his or her homestead property. The applicable percentage shall be calculated as the number of days during the preceding calendar year the person was deployed on active duty outside the continental United States, Alaska, or Hawaii in support of military operations designated by the legislature divided by the number of days in that year.

ARTICLE XII
SCHEDULE

SECTION 32. Tangible personal property; ad valorem tax exemption.—The amendment to Section 3 of Article VII providing that property is exempt from tangible personal property tax if the assessed value of such property is greater than twenty-five thousand dollars but less than fifty thousand dollars shall take effect January 1, 2013, and applies to assessments for tax years beginning on or after January 1, 2013.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE VII, SECTION 3

ARTICLE XII, SECTION 32

TANGIBLE PERSONAL PROPERTY TAX EXEMPTION.—Proposing an amendment to the State Constitution to:

(1) Provide an exemption from ad valorem taxes levied by counties, municipalities, school districts, and other local governments on tangible personal property if the assessed value of an owner's tangible personal property is greater than \$25,000 but less than \$50,000. This new exemption, if approved by the voters, will take effect on January 1, 2013, and apply to the 2013 tax roll and subsequent tax rolls.

(2) Authorize a county or municipality for the purpose of its respective levy, and as provided by general law, to provide tangible personal property tax exemptions by ordinance.

This is in addition to other statewide tangible personal property tax exemptions provided by the Constitution and this amendment.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1035

Speaker Cannon in the Chair.

Yeas—112

Abruzzo	Davis	Kiar	Rehwinkel Vasilinda
Adkins	Diaz	Kreegel	Renuart
Ahem	Dorworth	Legg	Roberson, K.
Albritton	Drake	Logan	Rooney
Artiles	Eisnaugle	Lopez-Cantera	Rouson
Aubuchon	Ford	Mayfield	Saunders
Baxley	Fresen	McBurney	Schenck
Bembry	Frishe	McKeel	Schwartz
Berman	Fullwood	Metz	Slosberg
Bernard	Gaetz	Moraitis	Smith
Bileca	Garcia	Nehr	Snyder
Boyd	Gibbons	Nelson	Soto
Brandes	Glorioso	Nuñez	Stargel
Brodeur	Gonzalez	O'Toole	Steube
Broxson	Goodson	Oliva	Taylor
Bullard	Grant	Pafford	Thompson, G.
Burgin	Hager	Passidomo	Thurston
Caldwell	Harrell	Patronis	Tobia
Campbell	Harrison	Perman	Trujillo
Cannon	Holder	Perry	Van Zant
Chestnut	Hooper	Pilon	Waldman
Clarke-Reed	Horner	Plakon	Weatherford
Clemens	Hudson	Porter	Weinstein
Coley	Hukill	Porth	Williams, A.
Corcoran	Ingram	Preccourt	Williams, T.
Costello	Jenne	Proctor	Wood
Crisafulli	Jones	Ray	Workman
Cruz	Julien	Reed	Young

Nays—2

Rogers Watson

Votes after roll call:

Yeas—Stafford

Yeas to Nays—Bullard

Nays to Yeas—Rogers, Watson

So the joint resolution passed, as amended, by the required constitutional three-fifths vote of the membership and was immediately certified to the Senate.

CS/CS/CS/HB 711—A bill to be entitled An act relating to the sale or lease of a county, district, or municipal hospital; amending s. 155.40, F.S.; providing definitions; requiring approval from a circuit court for the sale or lease of a county, district, or municipal hospital unless certain exemption or referendum approval applies; requiring the hospital governing board to determine by certain public advertisements whether there are qualified purchasers or lessees before the sale or lease of such hospital; requiring the board to state in writing specified criteria forming the basis of its acceptance of a proposal for sale or lease of the hospital; providing for publication of notice; authorizing submission of written statements of opposition to a proposed transaction to the hospital governing board within a certain timeframe; requiring the board to file a petition for approval with the circuit court and receive approval before any transaction is finalized; providing an exception; specifying information to be included in such petition; providing for the circuit court to issue an order requiring all interested parties to appear before the court under certain circumstances; granting the circuit court jurisdiction to approve sales or leases of county, district, or municipal hospitals based on specified criteria; providing for a party to seek judicial review; requiring the court to enter a final judgment; requiring the board to pay costs associated with the petition for approval unless a party contests the action; providing exemptions for certain transactions completed before a specified date; providing for cessation of special district taxing authority at sale unless reduced and ratified by referendum; providing that any general or special law that is inconsistent with or otherwise in conflict with the act is specifically superseded by the act; repealing s. 155.41, F.S., relating to applicability of retroactive exemptions for the sale or lease of county, district, or municipal hospitals, to conform to changes made by the act; amending s. 395.3036, F.S.; conforming cross-references and terminology; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1036

Speaker Cannon in the Chair.

Yeas—114

Abruzzo	Diaz	Legg	Rooney
Adkins	Dorworth	Logan	Rouson
Ahern	Drake	Lopez-Cantera	Saunders
Albritton	Eisnagle	Mayfield	Schenck
Artiles	Ford	McBurney	Schwartz
Aubuchon	Fresen	McKeel	Slosberg
Baxley	Frishe	Metz	Smith
Bembry	Fullwood	Moraitis	Snyder
Berman	Gaetz	Nehr	Soto
Bernard	Garcia	Nelson	Stafford
Bileca	Gibbons	Nuñez	Stargel
Boyd	Glorioso	O'Toole	Steube
Brandes	Gonzalez	Oliva	Taylor
Brodeur	Goodson	Pafford	Thompson, G.
Broxson	Grant	Passidomo	Thurston
Bullard	Hager	Patronis	Tobia
Burgin	Harrell	Perman	Trujillo
Caldwell	Harrison	Perry	Van Zant
Campbell	Holder	Pilon	Waldman
Cannon	Hooper	Plakon	Watson
Chestnut	Horner	Porth	Weatherford
Clarke-Reed	Hudson	Precourt	Weinstein
Clemens	Hukill	Proctor	Williams, A.
Coley	Ingram	Ray	Williams, T.
Corcoran	Jenne	Reed	Wood
Costello	Jones	Rehwinkel	Workman
Crisafulli	Julien	Renuart	Young
Cruz	Kiar	Roberson, K.	
Davis	Kreegel	Rogers	

Nays—None

Votes after roll call:

Yeas—Porter

So the bill passed, as amended, by the required constitutional two-thirds vote of the membership and was immediately certified to the Senate.

CS/CS/CS/HB 1263—A bill to be entitled An act relating to the Department of Health; amending s. 20.43, F.S.; revising the purpose of the department; revising duties of the State Surgeon General; eliminating the Officer of Women's Health Strategy; revising divisions within the department; amending s. 20.435, F.S.; eliminating the Florida Drug, Device, and Cosmetic Trust Fund and the Nursing Student Loan Forgiveness Trust Fund as trust funds under the department; amending s. 154.05, F.S.; providing that two or more counties may combine for the operation of a county health department when such counties establish an interlocal agreement; providing criteria for such an agreement; specifying that an interlocal agreement may only be terminated at the end of a contract year; requiring the parties to give written notice to the department no less than 90 days before the termination; amending s. 215.5602, F.S.; conforming references; amending s. 381.001, F.S.; revising legislative intent; requiring the Department of Health to be responsible for the state public health system; requiring the department to provide leadership for a partnership involving federal, state, and local government and the private sector to accomplish public health goals; amending s. 381.0011, F.S.; revising duties and powers of the department; repealing s. 381.0013, F.S., relating to the department's authority to exercise the power of eminent domain; repealing s. 381.0014, F.S., relating to department rules that superseded regulations and ordinances enacted by other state departments, boards or commissions, or municipalities; repealing s. 381.0015, F.S., relating to judicial presumptions regarding the department's authority to enforce public health rules; amending s. 381.0016, F.S.; allowing a county to enact health regulations and ordinances consistent with state law; repealing s. 381.0017, F.S., relating to the purchase, lease, and sale of real property by the department; repealing s. 381.0025, F.S., relating to penalties; amending s. 381.003, F.S.; revising provisions relating to the department's responsibility for communicable disease prevention and control programs; amending s. 381.0031, F.S.; permitting the department to conduct studies concerning epidemiology of diseases of public health significance; specifying that the list of diseases of public health significance is based on the recommendations to be nationally notifiable by the Council of State and Territorial Epidemiologists and the Centers for Disease Control and Prevention; authorizing the department to expand the list if a disease emerges for which regular, frequent and timely information regarding individual cases is considered necessary for the prevention and control of a disease specific to Florida; amending s. 381.00315, F.S.; requiring the department to establish rules for conditions and procedures for imposing and releasing a quarantine; requiring specific provisions to be included in rules; providing that the rules established under this section supersede all rules enacted by other state agencies, boards, or political subdivisions; providing that a violation of the rules established under the section, a quarantine, or requirement adopted pursuant to a declared public health emergency is a second-degree misdemeanor; providing penalties; repealing s. 381.0032, F.S., relating to epidemiological research; repealing s. 381.00325, F.S., relating to the Hepatitis A awareness program; amending s. 381.0034, F.S.; deleting an obsolete qualifying date reference; repealing s. 381.0037, F.S., relating to legislative findings and intent with respect to AIDS; amending s. 381.004, F.S.; deleting legislative intent; conforming cross-references; amending 381.0046, F.S.; requiring the department to establish dedicated HIV and AIDS regional and statewide minority coordinators; deleting the requirement that the statewide director report to the chief of the Bureau of HIV and AIDS within the department; amending s. 381.005, F.S.; deleting the requirement that hospitals implement a plan to offer immunizations for pneumococcal bacteria and influenza virus to all patients 65 years of age or older; amending s. 381.0051, F.S.; deleting legislative intent for the Comprehensive Family Planning Act; amending s. 381.0052, F.S., relating to the "Public Health Dental Program Act"; repealing unused department rulemaking authority; amending s. 381.0053, F.S., relating to the comprehensive nutrition program; repealing unused department rulemaking authority; repealing s. 381.0054,

F.S., relating to healthy lifestyles promotion by the department; amending s. 381.0056, F.S., relating to the "School Health Services Act"; deleting legislative findings; deleting the requirement that school health programs funded by health care districts or entities be supplementary to and consistent with the act and other applicable statutes; amending s. 381.0057, F.S., relating to funding for school health services; deleting legislative intent; amending s. 381.00591, F.S.; permitting the department to apply for and become a National Environmental Laboratory Accreditation Program accreditation body; eliminating rulemaking authority of the department to implement standards of the National Environmental Laboratory Accreditation Program; amending s. 381.00593, F.S.; removing unused rulemaking authority relating to the public school volunteer health care practitioner program; amending s. 381.0062, F.S., relating to the "Comprehensive Family Planning Act"; deleting legislative intent; conforming a cross-reference; amending s. 381.0065, F.S., relating to regulation of onsite sewage treatment and disposal systems; deleting legislative intent; conforming provisions to changes made by the act; amending s. 381.0068, F.S.; deleting a date by which a technical review and advisory panel must be established within the department for assistance with rule adoption; deleting the authority of the chair of the panel to advise affected persons or the Legislature of the panel's position on legislation, proposed state policy, or other issue; amending s. 381.0072, F.S.; revising the definition of the term "food establishment" to include certain facilities participating in the United States Department of Agriculture Afterschool Meal Program; amending s. 381.00781, F.S.; eliminating authority of the department to annually adjust maximum fees according to the Consumer Price Index; amending s. 381.0086, F.S.; revising department rulemaking authority relating to migrant farmworkers and other migrant labor camp or residential migrant housing occupants; removing lighting and maintenance and operation of roads from the list of health and safety standards to be created by the department; conforming a cross-reference; amending s. 381.0098, F.S.; deleting legislative intent with respect to standards for the safe packaging, transport, storage, treatment, and disposal of biomedical waste; conforming a cross-reference; amending s. 381.0101, F.S.; deleting legislative intent regarding certification of environmental health professionals; providing for the Division Director for Emergency Preparedness and Community Support to serve on an environmental health professionals advisory board; conforming a cross-reference; amending s. 381.0203, F.S.; eliminating the regulation of drugs, cosmetics, and household products under ch. 499, F.S., from the pharmacy services program; eliminating the contraception distribution program at county health departments; amending s. 381.0261, F.S.; requiring the department, rather than the Agency for Health Care Administration, to publish a summary of the Florida Patient's Bill of Rights and Responsibilities on its Internet website; deleting the requirement to print and distribute the summary; repealing s. 381.0301, F.S. relating to the Centers for Disease Control and Prevention, the State University System, Florida medical schools, and the College of Public Health of the University of South Florida; deleting the requirement that the College of Public Health be consulted by state officials in the management of public health; repealing s. 381.0302, F.S.; eliminating the Florida Health Services Corps; amending s. 381.0303, F.S.; eliminating the requirement that the Special Needs Shelter Interagency Committee submit recommendations to the Legislature; repealing s. 381.04015, F.S.; eliminating the Women's Health Strategy Office and Officer of Women's Health Strategy; amending s. 381.0403, F.S., relating to the "Community Hospital Education Act"; deleting legislative findings and intent; revising the mission of the program; requiring minimum funding for graduate education in family practice; deleting reference to an intent to establish a statewide graduate medical education program; amending s. 381.0405, F.S.; deleting an appropriation to the Office of Rural Health; amending s. 381.0406, F.S.; deleting unnecessary introductory language in provisions relating to rural health networks; repealing s. 381.0407, F.S., to eliminate the mandatory payment of claims from public health care providers and county health departments by managed care plans; repealing s. 381.045, F.S.; eliminating department authority to provide services to certain health care providers infected with Hepatitis B or HIV; amending s. 381.06015, F.S.; deleting obsolete provision that requires the department, the Agency for Health Care Administration, and private consortium members seeking private or federal funds to initiate certain

program actions relating to the Public Cord Blood Tissue Bank; repealing s. 381.0605, F.S., relating to designating the Agency for Health Care Administration as the state agency to administer the Federal Hospital and Medical Facilities Amendments of 1964; eliminating authority of the Governor to provide for administration of the amendments; repealing ss. 381.1001-381.103, F.S., the Florida Community Health Protection Act; amending s. 381.4018, F.S.; deleting legislative findings and intent with respect to physician workforce assessment and development; conforming a cross-reference; repealing s. 381.60225, F.S., to eliminate background screening requirements for health care professionals and owners, operators, and employees of certain health care providers, services, and programs; repealing ss. 381.732-381.734, F.S., the "Healthy People, Healthy Communities Act"; amending s. 381.7352, F.S.; deleting legislative findings relating to the "Reducing Racial and Ethnic Health Disparities: Closing the Gap Act"; amending s. 381.7353, F.S.; removing the authority of the State Surgeon General to appoint an ad hoc committee to study certain aspects of racial and ethnic health outcome disparities and make recommendations; amending s. 381.7356, F.S.; deleting a provision requiring dissemination of Closing the Gap grant awards to begin on a date certain; amending s. 381.765, F.S.; repealing unused rulemaking authority relating to records and recordkeeping for department-owned property; repealing s. 381.77, F.S., to eliminate the annual survey of nursing home residents age 55 and under; repealing s. 381.795, F.S., to eliminate the requirement that the department establish a program of long-term community-based supports and services for individuals with traumatic brain or spinal cord injuries; amending s. 381.853, F.S.; deleting legislative findings relating to brain tumor research; repealing s. 381.855, F.S., which established the Florida Center for Universal Research to Eradicate Disease; repealing s. 381.87, F.S., to eliminate the osteoporosis prevention and education program; repealing s. 381.90, F.S., to eliminate the Health Information Systems Council; amending s. 381.91, F.S., relating to the Jesse Trice Cancer Program; revising legislative intent; amending s. 381.922, F.S.; conforming a reference; amending s. 383.011, F.S.; requiring the Department of Health to establish an interagency agreement with the Department of Children and Family Services for management of the Special Supplemental Nutrition program for Women, Infants, and Children; specifying responsibilities of each department; creating s. 383.141, F.S.; providing legislative findings; providing definitions; requiring that health care providers provide pregnant women with current information about the nature of the developmental disabilities tested for in certain prenatal tests, the accuracy of such tests, and resources for obtaining support services for Down syndrome and other prenatally diagnosed developmental disabilities; providing duties for the Department of Health concerning establishment of an information clearinghouse; creating an advocacy council within the Department of Health to provide technical assistance in forming the clearinghouse; providing membership for the council; providing duties of the council; providing terms for members of the council; providing for election of a chairperson and vice chairperson; providing meeting times for the council; requiring the members to serve without compensation or reimbursement for travel expenses; authorizing meetings by teleconference or other electronic means; requiring the Department of Health to provide administrative support; repealing s. 385.210, F.S., the Arthritis Prevention and Education Act by a specific date; amending s. 391.016, F.S.; clarifying the purposes and functions of the Children's Medical Services program; requiring the coordination and maintenance of a medical home for participating children; amending s. 391.021, F.S.; revising definitions; amending s. 391.025, F.S.; revising the components of the Children's Medical Services program; amending s. 391.026, F.S.; revising the powers and duties of the department in administering the Children's Medical Services network; amending s. 391.028, F.S.; eliminating the central office and area offices of the Children's Medical Services program; authorizing the Director of Children's Medical Services to appoint necessary staff and contract with providers to establish a system to provide certain program activities on a statewide basis; amending s. 391.029, F.S.; specifying eligibility for services provided under the Children's Medical Services program; clarifying who may receive services under the program; deleting the requirement that the department determine financial and medical eligibility for program; deleting the requirement that the department determine the financial ability of parents to pay for services;

eliminating discretion of the department to pay reasonable travel expenses; amending s. 391.0315, F.S.; deleting a prohibition against a child eligible under Title XIX or XXI of the Social Security Act from receiving services under the program until the child is enrolled in Medicaid or a Title XXI program; amending s. 392.51, F.S., relating to tuberculosis control; removing legislative findings and intent; amending s. 392.61, F.S.; eliminating the requirement that the department develop a methodology for distributing funds appropriated for community tuberculosis control programs; amending s. 392.62, F.S.; requiring a contractor to use licensed community hospitals and other facilities for the care and treatment of persons who have active tuberculosis or a history of noncompliance with prescribed drug regimens and require inpatient or other residential services; removing authority of the department to operate a licensed hospital to treat tuberculosis patients; requiring the tuberculosis control program to fund participating facilities; requiring facilities to meet specific conditions; requiring the department to develop a transition plan for the closure of A.G. Holley State Hospital; specifying content of transition plan; requiring submission of the plan to the Governor and Legislature; requiring full implementation of the transition plan by a certain date; amending s. 401.243, F.S.; repealing unused rulemaking authority governing the implementation of injury-prevention grant programs; amending s. 401.245, F.S.; repealing unused rulemaking authority relating to operating procedures for the Emergency Medical Services Advisory Council; amending s. 401.271, F.S.; repealing unused rulemaking authority relating to an exemption for the spouse of a member of the Armed Forces of the United States on active duty from certification renewal provisions while the spouse is absent from the state because of the member's active duty with the Armed Forces; repealing s. 402.45, F.S.; repealing unused rulemaking authority relating to the community resource mother or father program; amending s. 403.863, F.S.; directing the department to contract to perform state public water supply laboratory certification application review and evaluation and laboratory inspections; adding certain actions to the list of acts constituting grounds for which disciplinary actions may be taken under the section; amending ss. 400.914 and 409.256, F.S.; conforming references; repealing s. 458.346, F.S., which created the Public Sector Physician Advisory Committee and established its responsibilities; amending s. 462.19, F.S., relating to the renewal of licenses for practitioners of naturopathy; repealing unused rulemaking authority; amending s. 464.019, F.S., requiring the Board of Nursing to deny a program application for new precicensure nursing education program while the existing program is on probationary status; repealing s. 464.0197, F.S., relating to state budget support for the Florida Center for Nursing; amending s. 464.203, F.S.; revising the certification requirements for certified nursing assistants; amending s. 464.208, F.S.; repealing unused rulemaking authority relating to background screening information of certified nursing assistants; repealing s. 466.00775, F.S., relating to unused rulemaking authority relating to dental health access and dental laboratory registration provisions; amending ss. 212.08, 499.003, 499.601, and 499.61, F.S.; updating departmental designation; amending s. 514.011, F.S.; revising the definition of "public bathing place"; amending s. 514.021, F.S.; restricting rulemaking authority of the department; limiting scope of standards for public pools and public bathing places; prohibiting the department from adopting by rule any regulation regarding the design, alteration, or repair of a public pool or public bathing; eliminating authority of the department to review plans, issue approvals, and enforce occupancy provisions of the Florida Building Code; amending s. 514.023, F.S.; adding public bathing places to the provisions allowing sampling of beach waters to determine sanitation and allowing health advisories to be issued for elevated levels of bacteria in such waters; deleting an obsolete provision; amending s. 514.025, F.S.; requiring the department to review applications and plans for the construction or placement of public pools or bathing places; providing for the department to review applications and plans if no qualified staff are employed at the county health department; establishing that the department is responsible to monitor water quality in public pools and bathing places; amending s. 514.03, F.S.; permitting local governments or local enforcement districts to determine compliance with general construction provisions of the Florida Building Code; permitting local governments or local enforcement districts to conduct plan reviews and inspections of public pools and bathing places to determine compliance; eliminating an application process for review

of building plans for a public pool or bathing place by the department; amending s. 514.031, F.S.; requiring a valid permit from the department to operate a public pool; revising the list of documents that must accompany an application for a permit to operate a public pool; providing the department with authority to review, approve, and deny an application for a permit to operate a public pool; amending s. 514.033, F.S.; deleting authority of the department to establish a fee schedule; requiring fees collected by the department or county health department to be deposited into the Grants and Donations Trust Fund or the County Health Department Trust Fund; amending s. 514.05, F.S.; requiring all amounts collected to be deposited in the Grants and Donations Trust Fund or the County Health Department Trust Fund; granting the county health department the authority to close a public pool that is not in compliance with ch. 514, F.S., or applicable rules; amending s. 514.06, F.S.; deeming a public pool or bathing place to present a significant risk to public health by failing to meet water quality and safety to be a public nuisance; allowing for a public nuisance to be abated or enjoined; amending s. 633.115, F.S.; making conforming changes; amending s. 1009.66, F.S.; reassigning responsibility for the Nursing Student Loan Forgiveness Program from the Department of Health to the Department of Education; amending s. 1009.67, F.S.; reassigning responsibility for the nursing scholarship program from the Department of Health to the Department of Education; providing type two transfers of the programs; providing for transfer of a trust fund; providing applicability to contracts; authorizing transfer of funds and positions between departments; requiring the Division of Medical Quality and Assurance to create a plan to improve efficiency of the function of the division; directing the division to take certain actions in creating the plan; directing the division to address particular topics in the plan; requiring all executive branch agencies to assist the department in creating the plan; requesting all other state agencies to assist the department in creating the plan; amending ss. 154.503, 381.0041, 384.25, 392.56, 395.1027, 411.203, 456.032, 513.10, 768.28, and 775.0877, F.S.; conforming cross-references; providing effective dates.

—was read the third time by title.

Representative Hudson offered the following:

(Amendment Bar Code: 005105)

Amendment 5—Remove line 2129 and insert:

adult family-care homes, adult day care centers, short-term residential treatment centers, residential treatment

Rep. Hudson moved the adoption of the amendment, which was adopted by the required two-thirds vote.

The question recurred on the passage of **CS/CS/CS/HB 1263**. The vote was:

Session Vote Sequence: 1037

Speaker Cannon in the Chair.

Yeas—86

Adkins	Coley	Grant	Metz
Ahern	Corcoran	Hager	Moraitis
Albritton	Costello	Harrell	Nehr
Artiles	Crisafulli	Harrison	Nelson
Aubuchon	Davis	Holder	Núñez
Baxley	Diaz	Hooper	O'Toole
Bernard	Dorworth	Horne	Oliva
Bileca	Drake	Hudson	Passidomo
Boyd	Eisnagle	Hukill	Patronis
Brandes	Ford	Ingram	Perry
Brodeur	Fresen	Kreegel	Pilon
Broxson	Frishe	Legg	Plakon
Burgin	Gaetz	Logan	Porter
Caldwell	Gibbons	Lopez-Cantera	Precourt
Campbell	Glorioso	Mayfield	Proctor
Cannon	Gonzalez	McBurney	Ray
Clemens	Goodson	McKeel	Reed

Renuart	Snyder	Van Zant	Wood
Roberson, K.	Stargel	Weatherford	Workman
Rooney	Steube	Weinstein	Young
Schenck	Tobia	Williams, A.	
Smith	Trujillo	Williams, T.	

Nays—28

Abruzzo	Fullwood	Perman	Soto
Bembry	Garcia	Porth	Stafford
Berman	Jenne	Rogers	Taylor
Bullard	Jones	Rouson	Thompson, G.
Chestnut	Julien	Saunders	Thurston
Clarke-Reed	Kiar	Schwartz	Waldman
Cruz	Pafford	Slosberg	Watson

Votes after roll call:

Yeas to Nays—Williams, A.

So the bill passed, as amended, and was immediately certified to the Senate after engrossment.

Consideration of **CS/CS/HB 495** was temporarily postponed.

HB 1297—A bill to be entitled An act relating to City of Dania Beach, Broward County; extending the corporate limits of the City of Dania Beach to include the area that extends 3 miles into the Atlantic Ocean from the city's existing shoreline; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1038

Speaker Cannon in the Chair.

Yeas—114

Abruzzo	Diaz	Logan	Rooney
Adkins	Dorworth	Lopez-Cantera	Rouson
Ahern	Drake	Mayfield	Saunders
Albritton	Eisnaugle	McBurney	Schenck
Artiles	Ford	McKeel	Schwartz
Aubuchon	Fresen	Metz	Slosberg
Baxley	Frishe	Moraitis	Smith
Bembry	Fullwood	Nehr	Snyder
Berman	Gaetz	Nelson	Soto
Bernard	Garcia	Nuñez	Stafford
Bileca	Glorioso	O'Toole	Stargel
Boyd	Gonzalez	Oliva	Steube
Brandes	Goodson	Pafford	Taylor
Brodeur	Grant	Passidomo	Thompson, G.
Broxson	Hager	Patronis	Thurston
Bullard	Harrell	Perman	Tobia
Burgin	Harrison	Perry	Trujillo
Caldwell	Holder	Pilon	Van Zant
Campbell	Hooper	Plakon	Waldman
Cannon	Horner	Porter	Watson
Chestnut	Hudson	Porth	Weatherford
Clarke-Reed	Hukill	Precourt	Weinstein
Clemens	Ingram	Proctor	Williams, A.
Coley	Jenne	Ray	Williams, T.
Corcoran	Jones	Reed	Wood
Costello	Julien	Rehwinkel Vasilinda	Workman
Crisafulli	Kiar	Renuart	Young
Cruz	Kreegel	Roberson, K.	
Davis	Legg	Rogers	

Nays—None

So the bill passed and was immediately certified to the Senate.

CS/HB 1211—A bill to be entitled An act relating to the Coral Springs Improvement District, Broward County; amending chapter 2004-469, Laws of Florida; revising the terms of office for members of the board of supervisors; revising elections procedures for the board of supervisors; revising the method of compensation for members of the board of

supervisors; revising quorum requirements for landowner meetings; conforming contract bidding requirements to general law and providing additional requirements for procurement of goods or services; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1039

Speaker Cannon in the Chair.

Yeas—115

Abruzzo	Diaz	Legg	Rogers
Adkins	Dorworth	Logan	Rooney
Ahern	Drake	Lopez-Cantera	Rouson
Albritton	Eisnaugle	Mayfield	Saunders
Artiles	Ford	McBurney	Schenck
Aubuchon	Fresen	McKeel	Schwartz
Baxley	Frishe	Metz	Slosberg
Bembry	Fullwood	Moraitis	Smith
Berman	Gaetz	Nehr	Snyder
Bernard	Garcia	Nelson	Soto
Bileca	Gibbons	Nuñez	Stafford
Boyd	Glorioso	O'Toole	Stargel
Brandes	Gonzalez	Oliva	Steube
Brodeur	Goodson	Pafford	Taylor
Broxson	Grant	Passidomo	Thompson, G.
Bullard	Hager	Patronis	Thurston
Burgin	Harrell	Perman	Tobia
Caldwell	Harrison	Perry	Trujillo
Campbell	Holder	Pilon	Van Zant
Cannon	Hooper	Plakon	Waldman
Chestnut	Horner	Porter	Watson
Clarke-Reed	Hudson	Porth	Weatherford
Clemens	Hukill	Precourt	Weinstein
Coley	Ingram	Proctor	Williams, A.
Corcoran	Jenne	Ray	Williams, T.
Costello	Jones	Reed	Wood
Crisafulli	Julien	Rehwinkel Vasilinda	Workman
Cruz	Kiar	Renuart	Young
Davis	Kreegel	Roberson, K.	

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 1153—A bill to be entitled An act relating to Broward County; amending chapter 75-350, Laws of Florida, as amended; revising provisions relating to the governing of municipal elections in the county; revising the dates on which municipal candidates must file qualification papers and pay certain fees with respect to certain elections; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1040

Speaker Cannon in the Chair.

Yeas—115

Abruzzo	Broxson	Davis	Goodson
Adkins	Bullard	Diaz	Grant
Ahern	Burgin	Dorworth	Hager
Albritton	Caldwell	Drake	Harrell
Artiles	Campbell	Eisnaugle	Harrison
Aubuchon	Cannon	Ford	Holder
Baxley	Chestnut	Fresen	Hooper
Bembry	Clarke-Reed	Frishe	Horner
Berman	Clemens	Fullwood	Hudson
Bernard	Coley	Gaetz	Hukill
Bileca	Corcoran	Garcia	Ingram
Boyd	Costello	Gibbons	Jenne
Brandes	Crisafulli	Glorioso	Jones
Brodeur	Cruz	Gonzalez	Julien

Kiar	Pafford	Roberson, K.	Thompson, G.
Kreegel	Passidomo	Rogers	Thurston
Legg	Patronis	Rooney	Tobia
Logan	Perman	Rouson	Trujillo
Lopez-Cantera	Perry	Saunders	Van Zant
Mayfield	Pilon	Schenck	Waldman
McBurney	Plakon	Schwartz	Watson
McKeel	Porter	Slosberg	Weatherford
Metz	Porth	Smith	Weinstein
Moraitis	Precourt	Snyder	Williams, A.
Nehr	Proctor	Soto	Williams, T.
Nelson	Ray	Stafford	Wood
Núñez	Reed	Stargel	Workman
O'Toole	Rehwinkel Vasilinda	Steube	Young
Oliva	Renuart	Taylor	

Nays—None

So the bill passed and was immediately certified to the Senate

Special Orders

Consideration of **HB 997** was temporarily postponed.

CS/HB 7133—A bill to be entitled An act relating to quality improvement initiatives for entities regulated by the Agency for Health Care Administration; amending s. 394.4574, F.S.; providing responsibilities of the Department of Children and Family Services and mental health service providers for mental health residents who reside in assisted living facilities; directing the agency to impose contract penalties on Medicaid prepaid health plans under specified circumstances; directing the department to impose contract penalties on mental health service providers under specified circumstances; directing the department and the agency to enter into an interagency agreement for the enforcement of their respective responsibilities and procedures related thereto; amending s. 395.1055, F.S.; revising provisions relating to agency rules regarding standards for infection control, housekeeping, and sanitary conditions in a hospital; requiring housekeeping and sanitation staff to employ and document compliance with specified cleaning and disinfecting procedures; authorizing imposition of administrative fines for noncompliance; amending s. 400.0078, F.S.; requiring specified information regarding the confidentiality of complaints to the State Long-Term Care Ombudsman Program to be provided to residents of a long-term care facility upon admission to the facility; amending s. 408.05, F.S.; directing the agency to collect, compile, analyze, and distribute specified health care information for specified uses; providing for the agency to release data necessary for the administration of the Medicaid program to quality improvement collaboratives for specified purposes; amending s. 408.802, F.S.; providing that the provisions of part II of ch. 408, F.S., the Health Care Licensing Procedures Act, apply to assisted living facility administrators; amending s. 408.820, F.S.; exempting assisted living facility administrators from specified provisions of part II of ch. 408, F.S., the Health Care Licensing Procedures Act; amending s. 409.212, F.S.; increasing a limitation on additional supplementation a person who receives optional supplementation may receive; creating s. 409.986, F.S.; providing definitions; directing the agency to establish and implement methodologies to adjust Medicaid rates for hospitals, nursing homes, and managed care plans; providing criteria for and limits on the amount of Medicaid payment rate adjustments; directing the agency to seek federal approval to implement a performance payment system; providing for implementation of the system in fiscal year 2015-2016; authorizing the agency to appoint a technical advisory panel; providing applicability of the performance payment system to general hospitals, skilled nursing facilities, and managed care plans and providing criteria therefor; amending s. 415.1034, F.S.; providing that specified persons who have regulatory responsibilities over or provide services to persons residing in certain facilities must report suspected incidents of abuse to the central abuse hotline; amending s. 429.02, F.S.; revising definitions applicable to the Assisted Living Facilities Act; amending s. 429.07, F.S.; requiring that an

assisted living facility be under the management of a licensed assisted living facility administrator; providing for a reduced number of monitoring visits for an assisted living facility that is licensed to provide extended congregate care services under specified circumstances; providing for a reduced number of monitoring visits for an assisted living facility that is licensed to provide limited nursing services under specified circumstances; amending s. 429.075, F.S.; providing additional requirements for a limited mental health license; removing specified assisted living facility requirements; authorizing a training provider to charge a fee for the training required of facility administrators and staff; revising provisions for application for a limited mental health license; creating s. 429.0751, F.S.; providing requirements for an assisted living facility that has mental health residents; requiring the assisted living facility to enter into a cooperative agreement with a mental health care service provider; providing for the development of a community living support plan; specifying who may have access to the plan; requiring documentation of mental health resident assessments; amending s. 429.178, F.S.; conforming cross-references; amending s. 429.19, F.S.; providing fines and penalties for specified violations by an assisted living facility; creating s. 429.231, F.S.; directing the Department of Elderly Affairs to create an advisory council to review the facts and circumstances of unexpected deaths in assisted living facilities and of elopements that result in harm to a resident; providing duties; providing for appointment and terms of members; providing for meetings; requiring a report; providing for per diem and travel expenses; amending s. 429.34, F.S.; providing a schedule for the inspection of assisted living facilities; providing exceptions; providing for fees for additional inspections after specified violations; creating s. 429.50, F.S.; prohibiting a person from performing the duties of an assisted living facility administrator without a license; providing qualifications for licensure; providing exceptions; providing license and license renewal fees; providing grounds for revocation or denial of licensure; providing rulemaking authority; authorizing the agency to issue a temporary license to an assisted living facility administrator under certain conditions and for a specified period of time; amending s. 429.52, F.S.; providing training, competency testing, and continuing education requirements for assisted living facility administrators and license applicants; specifying entities that may provide training; providing a definition; requiring assisted living facility trainers to keep certain training records and submit those records to the agency; providing rulemaking authority; amending s. 429.54, F.S.; requiring the Agency for Health Care Administration, the Department of Elderly Affairs, the Department of Children and Family Services, and the Agency for Persons with Disabilities to develop or modify electronic information systems and other systems to ensure efficient communication regarding regulation of assisted living facilities, subject to the availability of funds; providing an appropriation and authorizing positions; providing an effective date.

—was read the second time by title.

Representative Fresen offered the following:

(Amendment Bar Code: 603421)

Amendment 1—Remove lines 158-190 and insert:

(b) A cooperative agreement, as required in s. 429.075, is developed between the mental health care services provider that serves a mental health resident and the administrator of the assisted living facility with a limited mental health license in which the mental health resident is living. The cooperative agreement must provide detailed information concerning case management services; access to consumer-operated drop-in centers; reliable access to mental health care services during evenings, weekends, and holidays that avoids the use of hospital emergency departments except in emergencies; supervision of clinical needs of mental health residents; and access to emergency psychiatric care. Any entity that provides Medicaid prepaid health plan services shall ensure the appropriate coordination of health care services with an assisted living facility in cases where a Medicaid recipient is both a member of the entity's prepaid health plan and a resident of the assisted living facility. If the entity is at risk for Medicaid targeted case management and behavioral health services, the entity shall inform the

assisted living facility of the procedures to follow should an emergent condition arise.

(c) The community living support plan, as defined in s. 429.02, has been prepared by a mental health resident and a mental health case manager of that resident in consultation with the administrator of the facility or the administrator's designee. The plan must be provided to the administrator of the assisted living facility ~~with a limited mental health license~~ in which the mental health resident lives. The support plan and the agreement may be in one document.

(d) The assisted living facility ~~with a limited mental health license~~ is provided with documentation that the individual meets the definition of a mental health resident.

(e) The mental health services provider assigns a case manager to each mental health resident who lives in an assisted living facility with a limited mental health license. The case manager is responsible for coordinating the development of and implementation of the community living support plan defined in s. 429.02. The plan must be updated at least annually to ensure that the ongoing needs of a mental health resident are addressed. The community living support plan must include a detailed description of how the clinical needs of a mental health resident will be supervised; how often the case manager will see a mental health resident; how a mental health resident may access the case manager; how the case manager will identify conditions indicative of a change in a mental health resident's condition that might warrant changes in clinical supervision; procedures for the assisted living facility to contact the case manager on behalf of a mental health resident; and steps to be taken by the case manager to ensure that a mental health resident has access to appropriate emergency psychiatric care through the mental health care services provider. A case manager shall keep a record of the date and time of any face-to-face interaction with the mental health resident and make the record available to the department for inspection. The record must be retained for 2 years after the date of the last interaction.

(f) Adequate and consistent monitoring and enforcement of community living support plans and cooperative agreements are provided by the department for mental health residents who live in assisted living facilities.

Rep. Fresen moved the adoption of the amendment.

Representative Fresen offered the following:

(Amendment Bar Code: 060223)

Substitute Amendment 1—Remove line 190 and insert: addressed.

The department shall adopt rules to implement the community living support plans and cooperative agreements established under this section.

Rep. Fresen moved the adoption of the substitute amendment, which was adopted.

Representative Gonzalez offered the following:

(Amendment Bar Code: 231105)

Amendment 2—Remove line 209 and insert:

(5) The Agency for Health Care Administration shall include in contracts with Medicaid prepaid health plans provisions that require the mental health service provider to prepare a community living support plan, enter into a cooperative agreement with the assisted living facility, and otherwise comply with the provisions of this section. The agency shall also

Rep. Gonzalez moved the adoption of the amendment.

Representative Young offered the following:

(Amendment Bar Code: 496827)

Substitute Amendment 2 (with title amendment)—Remove lines 209-229 and insert:

(5) The Agency for Health Care Administration shall include in contracts with Medicaid prepaid health plans provisions that require the mental health service provider to prepare a community living support plan, enter into a cooperative agreement with the assisted living facility, and otherwise comply with the provisions of this section. The agency shall also establish and impose contract penalties for Medicaid prepaid health plans that fail to comply with this section.

(6) The department shall enter into an interagency agreement with the Agency for Health Care Administration that delineates their respective responsibilities and procedures for enforcing the requirements of this section with respect to assisted living facilities and mental health service providers.

(7)(3) The Secretary of Children and Family Services, in consultation with the Agency for Health Care Administration, shall annually require each district administrator to develop, with community input, detailed plans that demonstrate how the district will ensure the provision of state-funded mental health and substance abuse treatment services to residents of assisted living facilities ~~that hold a limited mental health license~~. These plans must be consistent with the substance abuse and mental health district plan developed pursuant to s. 394.75 and must address case management services; access to consumer-operated drop-in centers; access to services during evenings, weekends, and holidays; supervision of the clinical needs of the residents; and access to emergency psychiatric care.

Section 2. Subsection (1) of section 395.002, Florida Statutes, is amended to read:

395.002 Definitions.—As used in this chapter:

(1) "Accrediting organizations" means national accreditation organizations that are approved by the Centers for Medicare and Medicaid Services and whose standards incorporate comparable licensure regulations required by the state the Joint Commission on Accreditation of Healthcare Organizations, the American Osteopathic Association, the Commission on Accreditation of Rehabilitation Facilities, and the Accreditation Association for Ambulatory Health Care, Inc.

TITLE AMENDMENT

Remove line 16 and insert:

procedures related thereto; amending s. 395.002, F.S.; revising the definition of the term "accrediting organizations"; amending s. 395.3036, F.S.; amending s. 395.1055,

Rep. Young moved the adoption of the substitute amendment, which was adopted.

Representative Gonzalez offered the following:

(Amendment Bar Code: 581125)

Amendment 3—Remove lines 480-485 and insert:

1. Occurs after the person's admission to a hospital; and
2. May have resulted from the care, lack of care, or treatment provided during the hospital stay rather than from a natural progression of an underlying disease.

Rep. Gonzalez moved the adoption of the amendment, which was adopted.

Representative Gonzalez offered the following:

(Amendment Bar Code: 507061)

Amendment 4—Remove lines 582-592 and insert:

(7) The performance payment system for skilled nursing facilities shall apply to facilities licensed pursuant to part II of chapter 400 with current Medicaid provider service agreements. The agency, after consultation with the technical advisory panel established in subsection (5), shall select outcome measures to be used to allocate positive payment adjustments. The outcome measures shall be consistent with the federal Quality Assurance and Performance Improvement requirements and include one or more of the following clinical care areas: pressure sores, falls, or hospitalizations.

Rep. Gonzalez moved the adoption of the amendment, which was adopted.

Rep. Gonzalez moved the adoption of the amendment.

Representative Gonzalez offered the following:

(Amendment Bar Code: 071113)

Amendment 1 to Amendment 6—Remove lines 47-50 of the amendment and insert:

(i) Any payment permitted under s. 429.195(2).

Rep. Gonzalez moved the adoption of the amendment to the amendment, which was adopted.

The question recurred on the adoption of **Amendment 6**, as amended, which was adopted.

Representative Gonzalez offered the following:

(Amendment Bar Code: 739121)

Amendment 7 (with title amendment)—Remove lines 1149-1191 and insert:

facility administrator, an applicant must provide proof of a current and valid assisted living facility administrator certification and complete background screening pursuant to s. 429.174.

(3) Notwithstanding subsection (2), the agency may grant an initial license to an applicant who:

(a)1. Has been employed as an assisted living facility administrator for 2 of the 5 years immediately preceding July 1, 2013, or who is employed as an assisted living facility administrator on July 1, 2013;

2. Is in compliance with the continuing education requirements in this part;

3. Within 2 years before the initial application for an assisted living facility administrator license, has not been the administrator of an assisted living facility when a Class I or Class II violation occurred for which the facility was cited by final agency action; and

4. Has completed background screening pursuant to s. 429.174; or

(b) Is licensed in accordance with part II of chapter 468, is in compliance with the continuing education requirements in part II of chapter 468, and has completed background screening pursuant to s. 429.174.

(4) An assisted living facility administrator certification must be issued by a third-party credentialing entity under contract with the agency, and, for the initial certification, the entity must certify that the individual:

(a) Is at least 21 years old.

(b) Has completed 30 hours of core training and 10 hours of supplemental training as described in s. 429.52.

(c) Has passed the competency test described in s. 429.52 with a minimum score of 80.

(d) Has otherwise met the requirements of this part.

(5) The agency shall contract with one or more third-party credentialing entities for the purpose of certifying assisted living facility administrators. A third-party credentialing entity must be a nonprofit organization that has met nationally recognized standards for developing and administering professional certification programs. The contract must require that a third-party credentialing entity:

(a) Develop a competency test as described in s. 429.52(7).

(b) Maintain an Internet-based database, accessible to the public, of all persons holding an assisted living facility administrator certification.

(c) Require continuing education consistent with s. 429.52 and, at least, biennial certification renewal for persons holding an assisted living facility administrator certification.

(6) The license shall be renewed biennially.

(7) The fees for licensure shall be \$150 for the initial licensure and \$150 for each licensure renewal.

(8) A licensed assisted living facility administrator must complete continuing education described in s. 429.52 for a minimum of 18 hours every 2 years.

Representative Gonzalez offered the following:

(Amendment Bar Code: 247815)

Amendment 5—Remove lines 1039-1041 and insert:
facility is cited for a class I or class II violation and within 24 months the facility is cited for another class I or class II violation, the agency shall double the fine for the subsequent violation if the violation is in the same class as the previous violation.

Rep. Gonzalez moved the adoption of the amendment, which was adopted.

Representative Gonzalez offered the following:

(Amendment Bar Code: 099953)

Amendment 6 (with title amendment)—Between lines 1041 and 1042, insert:

Section 16. Section 429.195, Florida Statutes, is amended to read:

429.195 Rebates prohibited; penalties.—

(1) It is unlawful for any assisted living facility licensed under this part to contract or promise to pay or receive any commission, bonus, kickback, or rebate or engage in any split-fee arrangement in any form whatsoever with any person, health care provider, or health care facility as provided in s. 817.505 ~~physician, surgeon, organization, agency, or person, either directly or indirectly, for residents referred to an assisted living facility licensed under this part. A facility may employ or contract with persons to market the facility, provided the employee or contract provider clearly indicates that he or she represents the facility. A person or agency independent of the facility may provide placement or referral services for a fee to individuals seeking assistance in finding a suitable facility; however, any fee paid for placement or referral services must be paid by the individual looking for a facility, not by the facility.~~

(2) This section does not apply to:

(a) Any individual employed by the assisted living facility or with whom the facility contracts to market the facility if the individual clearly indicates that he or she works with or for the facility.

(b) Payments by an assisted living facility to a referral service that provides information, consultation, or referrals to consumers to assist them in finding appropriate care or housing options for seniors or disabled adults, if such referred consumers are not Medicaid recipients.

(c) A resident of an assisted living facility who refers to the assisted living facility a friend, family member, or other individual with whom the resident has a personal relationship, in which case the assisted living facility may provide a monetary reward to the resident for making such referral.

~~(3)(2)~~ A violation of this section shall be considered patient brokering and is punishable as provided in s. 817.505.

Section 17. Paragraph (j) is added to subsection (3) of section 817.505, Florida Statutes, to read:

817.505 Patient brokering prohibited; exceptions; penalties.—

(3) This section shall not apply to:

(i) Any payment by an assisted living facility, as defined in s. 429.02, or any agreement for or solicitation, offer, or receipt of such payment by a referral service that is permitted under s. 429.195(2).

TITLE AMENDMENT

Remove line 91 and insert:

living facility; amending s. 429.195, F.S.; revising applicability of prohibitions on rebates provided by an assisted living facility for certain referrals; amending s. 817.505, F.S.; providing an exception from prohibitions relating to patient brokering; creating s. 429.231, F.S.; directing

(9) The agency shall deny or revoke the license if the applicant or licensee:

(a) Was the assisted living facility administrator of record for or had a controlling interest in a provider licensed by the agency under this chapter, part II of chapter 408, or applicable rules, when the provider was cited for violations that resulted in denial or revocation of a license; or

(b) Has a final agency action for unlicensed activity pursuant to this chapter, part II of chapter 408, or applicable rules.

(10) The agency may deny or revoke the license if the applicant or licensee was the assisted living facility administrator of record for or had a controlling interest in a provider licensed by the agency under this chapter, part II of chapter 408, or applicable rules, when the provider was cited for violations within the previous 3 years that resulted in a resident's death.

(11) The agency may adopt rules as necessary to administer

Remove lines 1344-1346 and insert:

of individuals who complete training and shall, within 30 days after the individual completes the course, electronically submit the record to the agency and to all third-party credentialing entities under contract with the agency pursuant to s. 429.50(5).

TITLE AMENDMENT

Remove line 106 and insert:

licensure; providing requirements for the issuance of assisted living facility administrator certifications; providing agency responsibilities; providing exceptions; providing license and

Rep. Gonzalez moved the adoption of the amendment.

Representative Gonzalez offered the following:

(Amendment Bar Code: 522919)

Amendment 1 to Amendment 7—Remove lines 61-75 of the amendment and insert:

(a) Was the assisted living facility administrator of record for an assisted living facility licensed by the agency under this chapter, part II of chapter 408, or applicable rules, when the facility was cited for violations that resulted in denial or revocation of a license; or

(b) Has a final agency action for unlicensed activity pursuant to this chapter, part II of chapter 408, or applicable rules.

(10) The agency may deny or revoke the license if the applicant or licensee was the assisted living facility administrator of record for an assisted living facility licensed by the agency under this chapter, part II of chapter 408, or applicable rules, when the facility was cited for violations within the previous 3 years that resulted in a resident's death.

Rep. Gonzalez moved the adoption of the amendment to the amendment, which was adopted.

The question recurred on the adoption of **Amendment 7**, as amended, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/HB 651—A bill to be entitled An act relating to building construction and inspection; amending s. 162.12, F.S.; revising the authorized methods of sending notices to violators of local codes; creating s. 255.0518, F.S.; requiring the state or any county, municipality, or other public body or institution to open sealed bids or certain portions of sealed bids and disclose certain information at a public meeting; amending s. 381.0065, F.S.; revising the definition of the term "bedroom" for purposes of requirements governing onsite sewage treatment and disposal systems; conforming a cross-reference; providing that a permit for the installation, modification, or repair of an onsite sewage treatment and disposal system approved by the Department of Health transfers along with the title to the property in a real estate transaction; prohibiting the transferred title from being encumbered by new

permit requirements; providing criteria for an abandoned onsite sewage treatment and disposal system; providing guidelines for the reconnection of an abandoned system; providing for the applicability of rules to the construction of an onsite sewage treatment and disposal system; providing certain exemptions for a remodeled single-family home; amending ss. 468.604 and 633.0215, F.S.; authorizing a building code administrator or building official or a fire code administrator or fire official to approve the electronic filing of building plans and related documents; amending s. 468.609, F.S.; revising the eligibility requirements of a building code inspector or plans examiner; revising criteria for the issuance of provisional certificates; amending s. 468.841, F.S.; adding landscape architects to those who are exempt from complying with provisions related to mold assessment; clarifying the intent of the Legislature in the adoption of certain amendments to s. 489.105(6), F.S., and specifying that the amendments were intended to be remedial in nature, clarify existing law, and apply retroactively to any contract for the sale of manufactured or factory-built buildings that will be completed on site and otherwise comply with the requirements of state law; amending s. 481.329, F.S.; revising the types of planting plans that a landscaping designer may submit to governmental agencies; amending s. 489.103, F.S.; providing an exemption from construction contracting requirements for an owner who installs, uninstalls, or replaces solar panels on certain residences while acting as the contractor; providing that an owner's notarized signature or personal appearance to sign a permit for certain projects is not required under certain circumstances; amending 489.105, F.S.; revising definitions applicable to contractors; repealing mandatory licensing requirements for glass and glazing contractors; amending ss. 489.107 and 489.141, F.S.; conforming cross-references; amending s. 489.113, F.S.; preempting to the state the regulation of certain hoisting equipment; providing that the act does not apply to the regulation of elevators or to airspace height restrictions; amending s. 553.5041, F.S.; correcting a cross-reference; amending s. 553.73, F.S.; adding certain buildings and structures to those that are exempt from the Florida Building Code; amending s. 553.79, F.S.; requiring a local enforcing agency to provide certain information to a permit applicant when a permit is denied or revoked due to specific circumstances; requiring a local building code administrator or inspector to identify specific plan features that are not in compliance with applicable codes, chapters, and sections and to provide such information to a local enforcing agency; requiring a local enforcing agency to provide such information to a permit applicant; requiring the Florida Building Commission to establish a workgroup to assist the commission in developing a rule for implementing certain methods of alternative screen enclosure design; requiring the rule to be incorporated into the Florida Building Code; providing for expiration of the requirement upon adoption and implementation of the rule into the Florida Building Code; amending s. 553.844, F.S.; extending the expiration of an exemption from the Florida Building Code relating to certain equipment and appliances; providing an effective date.

—was read the second time by title.

Representative Davis offered the following:

(Amendment Bar Code: 659431)

Amendment 1—Remove lines 439-450 and insert:

(5) ~~Nothing in~~ This part ~~does not prohibit~~ ~~prohibits~~ any person from engaging in the practice of landscape design, as defined in s. 481.303(7), ~~or from not submitting for approval to a governmental agency planting plans that are independent of, or a component of, construction documents that are prepared by a Florida-registered professional such plans to governmental agencies for approval.~~ Persons providing landscape design services shall not use the title, term, or designation "landscape architect," "landscape architectural," "landscape architecture," "L.A.," "landscape engineering," or any description tending to convey the impression that she or he is a landscape architect unless she or he is registered as provided in this part.

Rep. Davis moved the adoption of the amendment, which was adopted.

Representative Davis offered the following:

(Amendment Bar Code: 474077)

Amendment 2 (with title amendment)—Between lines 641 and 642, insert:

(d) A building permit application and disclosure statement electronically submitted by an owner to the authority for a solar project, as described in subparagraph (a)3., must also contain the following statement:

OWNER'S ELECTRONIC SUBMISSION STATEMENT: Under penalty of perjury, I declare that all the information contained in this building permit application and the representations made in the required disclosure statement are true and correct.

(e) A permitting authority that accepts a building permit application and disclosure statement in an electronic format from an owner who is exempt pursuant to this subsection and applying for a permit relating to a solar project as described in subparagraph (a)3. is not liable in any civil action for inaccurate information submitted by the owner using the authority's electronic confirmation system.

TITLE AMENDMENT

Remove line 53 and insert:

circumstances; providing requirements with respect to electronically submitted building permit applications and disclosure statements; providing certain exemption from liability for electronically submitted information that is inaccurate; amending 489.105, F.S.; revising

Rep. Davis moved the adoption of the amendment, which was adopted.

Representative Davis offered the following:

(Amendment Bar Code: 572633)

Amendment 3 (with directory and title amendments)—Between lines 843 and 844, insert:

(6) "Contracting" means, except as exempted in this part, engaging in business as a contractor and includes, but is not limited to, performance of any of the acts as set forth in subsection (3) which define types of contractors. The attempted sale of contracting services and the negotiation or bid for a contract on these services also constitutes contracting. If the services offered require licensure or agent qualification, the offering, negotiation for a bid, or attempted sale of these services requires the corresponding licensure. However, the term "contracting" shall not extend to an individual, partnership, corporation, trust, or other legal entity that offers to sell or sells completed residences on property on which the individual or business entity has any legal or equitable interest, or to the individual or business entity that offers to sell or sells manufactured or factory-built buildings that will be completed on site on property on which either party to a contract has any legal or equitable interest, if the services of a qualified contractor certified or registered pursuant to the requirements of this chapter have been or will be retained for the purpose of constructing or completing such residences.

DIRECTORY AMENDMENT

Remove line 644 and insert:
amended, and subsection (6) of that section is reenacted, to read:

TITLE AMENDMENT

Remove line 56 and insert:
contractors; reenacting s. 489.105(6), F.S., relating to the definition of the term "contracting"; amending ss. 489.107 and 489.141, F.S.;

Rep. Davis moved the adoption of the amendment, which was adopted.

Representative Articles offered the following:

(Amendment Bar Code: 739345)

Amendment 4 (with title amendment)—Remove lines 869-884

TITLE AMENDMENT

Remove lines 57-61 and insert:
conforming cross-references; amending s. 553.5041,

Rep. Articles moved the adoption of the amendment, which was adopted.

Representative Davis offered the following:

(Amendment Bar Code: 891531)

Amendment 5 (with directory and title amendments)—Between lines 871 and 872, insert:

(2) ~~A No person must be who is not~~ certified or registered to ~~shall~~ engage in the business of contracting in this state. However, for purposes of complying with ~~the provisions of~~ this chapter, a subcontractor person who is not certified or registered may perform construction work under the supervision of a person who is certified or registered, provided that the work is within the scope of the supervising contractor's supervisor's license, the supervising contractor is responsible for the work, and ~~provided that the subcontractor person~~ being supervised is not engaged in construction work ~~that which~~ would require a license as a contractor under any of the categories listed in s. 489.105(3)(d)-(o). This subsection does not affect the application of any local construction licensing ordinances. To enforce this subsection:

(a) The department shall issue a cease and desist order to prohibit any person from engaging in the business of contracting who does not hold the required certification or registration for the work being performed under this part. For the purpose of enforcing a cease and desist order, the department may file a proceeding in the name of the state seeking issuance of an injunction or a writ of mandamus against any person who violates any provision of such order.

(b) A county, municipality, or local licensing board created by special act may issue a cease and desist order to prohibit any person from engaging in the business of contracting who does not hold the required certification or registration for the work being performed under this part.

Remove line 1135 and insert:

Section 20. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2012.

DIRECTORY AMENDMENT

Remove lines 869-870 and insert:

Section 14. Effective upon this act becoming a law, subsection (2) of section 489.113, Florida Statutes, is amended, and subsection (11) is added to that section, to read:

TITLE AMENDMENT

Remove line 58 and insert:

F.S.; clarifying the responsibilities of certified or registered supervising contractors; preempting to the state the regulation of

Remove line 85 and insert:
providing effective dates.

Rep. Davis moved the adoption of the amendment, which was adopted.

Representative Davis offered the following:

(Amendment Bar Code: 147305)

Amendment 6 (with title amendments)—Between lines 1134 and 1135, insert:

Section 20. Paragraph (b) of subsection (6) of section 713.135, Florida Statutes, is amended, and a new paragraph (d) is added to that subsection, to read:

713.135 Notice of commencement and applicability of lien.—

(6)

(b) Consistent with the requirements of paragraph (a), an authority responsible for issuing building permits under this section may accept a building permit application in an electronic format, as prescribed by the authority. Building permit applications submitted to the authority electronically must contain the following additional statement in lieu of the requirement in paragraph (a) that a signed, sworn, and notarized signature of the owner or agent and the contractor be part of the owner's affidavit:

OWNER'S ELECTRONIC SUBMISSION STATEMENT: Under penalty of perjury, I declare that all the information contained in this building permit application is true and correct.

2. For purposes of implementing a United States Department of Energy SunShot Initiative: Rooftop Solar Challenge grant and the participation of county and municipal governments, including local permitting agencies under the jurisdiction of such county and municipal governments, an owner or contractor is not required to personally appear and provide a notarized signature when filing a building permit application, if such building permit application is electronically submitted to the permitting authority, the application relates to a solar project, and the owner or contractor certifies the application, consistent with this paragraph, using the permitting authority's electronic confirmation system. For purposes of this subsection, the term "solar project" means installing, uninstalling, or replacing solar panels on single-family residential property, multifamily residential property, or commercial property.

(d) An authority responsible for issuing building permits, which accepts building permit applications in an electronic format for solar projects, as defined in subparagraph (b)2., is not liable in any civil action for any inaccurate information submitted by an owner or contractor using the authority's electronic confirmation system.

TITLE AMENDMENT

Between lines 84 and 85, insert:
amending s. 713.135, F.S.; revising notice of commencement and applicability of lien for building permit applications;

Rep. Davis moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the was referred to the Engrossing Clerk.

HB 1015—A bill to be entitled An act relating to the tourist development tax; amending s. 125.0104, F.S.; providing for the proceeds of the tourist development tax to be used for the benefit of certain aquariums; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 885—A bill to be entitled An act relating to transactions by secondhand dealers and secondary metals recyclers; amending s. 538.03, F.S.; defining the term "appropriate law enforcement official"; deleting exemptions from regulation as a secondhand dealer which relate to flea market transactions and auction businesses; conforming terminology; amending s. 538.04, F.S., relating to recordkeeping requirements; conforming terminology and clarifying provisions; amending s. 538.18, F.S.; revising and providing definitions; amending s. 319.30, F.S.; conforming a cross-reference; providing requirements for salvaged motor vehicles and mobile homes; amending s. 538.19, F.S.; revising requirements for the types

of information that secondary metals recyclers must obtain and maintain regarding purchase transactions, including requirements for the maintenance and transmission of electronic records of such transactions; revising the period required for secondary metals recyclers to maintain certain information regarding purchase transactions involving regulated metals property; limiting the liability of secondary metals recyclers for the conversion of motor vehicles to scrap metal under certain circumstances; amending s. 538.235, F.S.; revising requirements for payments made by secondary metals recyclers to sellers of regulated metals property, to prohibit certain cash transactions; providing penalties; providing methods of payment for restricted regulated metals property; requiring that purchases of certain property be made by check or by electronic payment; providing procedures; amending s. 538.25, F.S.; requiring an application for registration as a secondary metals recycler to contain the address of a fixed business location; amending s. 538.26, F.S.; prohibiting secondary metals recyclers from purchasing regulated metals property, restricted regulated metals property, or ferrous metals during specified times, from certain locations, or from certain sellers; prohibiting the purchase of specified restricted regulated metals property without obtaining certain proof of the seller's ownership and authorization to sell the property; providing penalties; creating s. 538.28, F.S.; preempting to the state the regulation of secondary metals recyclers and purchase transactions involving regulated metals property; providing exceptions; amending s. 538.23, F.S.; increasing the criminal penalties for specified violations relating to secondary metals recycling; providing increased criminal penalties for third and subsequent criminal violations; amending s. 812.145, F.S., relating to theft of copper or other nonferrous metals from a utility or communications services provider; revising and providing definitions; providing civil liability and penalties; prohibiting removing copper or other nonferrous metals from an electrical substation site without authorization of the utility; providing criminal penalties; providing an effective date.

—was read the second time by title.

Representative Ariles offered the following:

(Amendment Bar Code: 312209)

Amendment 1 (with title amendment)—Remove lines 707-708 and insert:

(3) This section does not apply to a county as defined in s. 125.011(1).

TITLE AMENDMENT

Remove line 47 and insert:
exceptions; providing for applicability; amending s. 538.23, F.S.; increasing the

Rep. Ariles moved the adoption of the amendment.

Representative Ariles offered the following:

(Amendment Bar Code: 554139)

Substitute Amendment 1 (with title amendment)—Between lines 707 and 708, insert:

(3) This section does not apply to a county as defined in s. 125.011(1).

TITLE AMENDMENT

Remove line 47 and insert:
exceptions; providing for applicability; amending s. 538.23, F.S.; increasing the

Rep. Ariles moved the adoption of the substitute amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

HB 7135—A bill to be entitled An act relating to postsecondary education; amending s. 1001.02, F.S.; providing additional requirements for the State Board of Education's coordinated 5-year plan for postsecondary enrollment and its strategic plan specifying goals and objectives; providing a state board duty to require Florida College System institutions to provide students with electronic access to the economic security report of employment and earning outcomes prepared by the Department of Economic Opportunity; requiring state board rules to revise credit hour requirements in general education courses; amending s. 1001.03, F.S.; requiring the state board to identify performance metrics for the Florida College System and develop a plan that specifies goals and objectives for each Florida College System institution; requiring the state board to adopt a unified state plan for science, technology, engineering, and mathematics in K-20 education; amending s. 1001.10, F.S.; authorizing the Commissioner of Education to conduct a review of certain practices or actions at a Florida College System institution; amending s. 1001.64, F.S.; conforming provisions; amending s. 1001.706, F.S.; providing additional requirements for the Board of Governors' strategic plan specifying goals and objectives for the State University System and each university and its accountability plan; providing a duty of the Board of Governors to require state universities to provide students with electronic access to the economic security report of employment and earning outcomes; authorizing the Board of Governors to waive or modify its regulations, statutory requirements, or certain fee requirements; authorizing the Board of Governors to revoke or modify certain powers or duties; amending s. 1002.20, F.S.; requiring certain public school students to be provided electronic access to the economic security report of employment and earning outcomes; amending s. 1004.015, F.S.; requiring the Higher Education Coordinating Council to annually report recommendations for postsecondary education; amending s. 1005.22, F.S.; requiring the Commission for Independent Education to collect and report certain student data; amending s. 1007.23, F.S.; providing that the statewide articulation agreement must require certain Florida College System students to provide information relating to continued education; amending s. 1007.25, F.S.; revising provisions relating to general education course requirements and associate and baccalaureate degree requirements; providing requirements for general education core course options; amending s. 1007.33, F.S.; providing additional requirements for notice of intent to propose a baccalaureate degree program at a Florida College System institution; requiring an institution offering a baccalaureate degree program to report its status using specified performance and compliance standards; deleting provisions relating to exemption from state board approval of certain baccalaureate degree programs; amending s. 1008.31, F.S.; requiring certain independent colleges and universities to report data for students who receive state funds; amending s. 1008.46, F.S.; conforming provisions; creating s. 1011.905, F.S.; requiring the Board of Governors to review and rank each state university that applies for performance funding based on an established formula; requiring the Board of Governors to award up to a specified amount to the highest-ranked state universities; requiring a report to the Governor and Legislature; creating s. 445.07, F.S.; requiring the Department of Economic Opportunity to annually prepare, or contract with an entity to prepare, an economic security report of employment and earning outcomes for degrees or certificates earned at public postsecondary educational institutions; providing an effective date.

—was read the second time by title.

Representative Proctor offered the following:

(Amendment Bar Code: 220371)

Amendment 1—Remove lines 422-423 and insert:
hours, beginning with students initially entering a Florida College System institution in 2013-2014 and thereafter, the articulation agreement must require each student who is seeking an associate in arts

Rep. Proctor moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 451—A bill to be entitled An act relating to fraudulent transfers; amending s. 726.102, F.S.; defining the term "qualified charity" for purposes of the Uniform Fraudulent Transfer Act; amending s. 726.110, F.S.; limiting the period during which a cause of action with respect to a fraudulent transfer or obligation may be brought under the Uniform Fraudulent Transfer Act if the transfer was a charitable contribution made to a qualified charity and accepted by that qualified charity in good faith; providing applicability; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 701—A bill to be entitled An act relating to the Florida Evidence Code; amending s. 90.804, F.S.; providing that a statement offered against a party that wrongfully caused the declarant's unavailability is not excluded as hearsay; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 963—A bill to be entitled An act relating to dispute resolution; amending s. 682.01, F.S.; revising the short title of the "Florida Arbitration Code" to the "Revised Florida Arbitration Code"; creating s. 682.011, F.S.; providing definitions; creating s. 682.012, F.S.; specifying how a person gives notice to another person and how a person receives notice; creating s. 682.013, F.S.; specifying the applicability of the revised code; creating s. 682.014, F.S.; providing that an agreement may waive or vary the effect of statutory arbitration provisions; providing exceptions; creating s. 682.015, F.S.; providing for petitions for judicial relief; providing for service of notice of an initial petition for such relief; amending s. 682.02, F.S.; revising provisions relating to the making of arbitration agreements; requiring a court to decide whether an agreement to arbitrate exists or a controversy is subject to an agreement to arbitrate; providing for determination of specified issues by an arbitrator; providing for continuation of an arbitration proceeding pending resolution of certain issues by a court; revising provisions relating to applicability of provisions to certain interlocal agreements; amending s. 682.03, F.S.; revising provisions relating to proceedings to compel and to stay arbitration; creating s. 682.031, F.S.; providing for a court to order provisional remedies before an arbitrator is appointed and is authorized and able to act; providing for orders for provisional remedies by an arbitrator; providing that a party does not waive a right of arbitration by seeking provisional remedies in court; creating s. 682.032, F.S.; providing for initiation of arbitration; providing that a person waives any objection to lack of or insufficiency of notice by appearing at the arbitration hearing; providing an exception; creating s. 682.033, F.S.; providing for consolidation of separate arbitration proceedings as to all or some of the claims in certain circumstances; prohibiting consolidation if the agreement prohibits consolidation; amending s. 682.04, F.S.; revising provisions relating to appointment of an arbitrator; prohibiting an individual who has an interest in the outcome of an arbitration from serving as a neutral arbitrator; creating s. 682.041, F.S.; requiring certain disclosures of interests and relationships by a person before accepting appointment as an arbitrator; providing a continuing obligation to make such disclosures; providing for objections to an arbitrator based on information disclosed; providing for vacation of an award if an arbitrator failed to disclose a fact as required; providing that an arbitrator appointed as a neutral arbitrator who does not disclose certain interests or relationships is presumed to act with partiality for specified purposes; requiring parties to substantially comply with agreed-to procedures of an arbitration organization or any other procedures for challenges to arbitrators before an award is made in order to seek vacation of an award on specified grounds; amending s. 682.05, F.S.; requiring that if there is more than one arbitrator, the powers of an arbitrator must be exercised by a majority of the arbitrators; requiring all arbitrators to conduct the arbitration hearing; creating s. 682.051, F.S.; providing immunity from civil liability for an arbitrator or an arbitration organization acting in that capacity; providing that this immunity is supplemental to any immunity under

other law; providing that failure to make a required disclosure does not remove immunity; providing that an arbitrator or representative of an arbitration organization is not competent to testify and may not be required to produce records concerning the arbitration; providing exceptions; providing for awarding an arbitrator, arbitration organization, or representative of an arbitration organization with reasonable attorney fees and expenses of litigation under certain circumstances; amending s. 682.06, F.S.; revising provisions relating to the conduct of arbitration hearings; providing for summary disposition, notice of hearings, adjournment, and rights of a party to the arbitration proceeding; requiring appointment of a replacement arbitrator in certain circumstances; amending s. 682.07, F.S.; providing that a party to an arbitration proceeding may be represented by an attorney; amending s. 682.08, F.S.; revising provisions relating to the issuance, service, and enforcement of subpoenas; revising provisions relating to depositions; authorizing an arbitrator to permit discovery in certain circumstances; authorizing an arbitrator to order compliance with discovery; authorizing protective orders by an arbitrator; providing for applicability of laws compelling a person under subpoena to testify and all fees for attending a judicial proceeding, a deposition, or a discovery proceeding as a witness; providing for court enforcement of a subpoena or discovery-related order; providing for witness fees; creating s. 682.081, F.S.; providing for judicial enforcement of a preaward ruling by an arbitrator in certain circumstances; providing exceptions; amending s. 682.09, F.S.; revising provisions relating to the record needed for an award; revising provisions relating to the time within which an award must be made; amending s. 682.10, F.S.; revising provisions relating to requirements for a motion to modify or correct an award; amending s. 682.11, F.S.; revising provisions relating to fees and expenses of arbitration; authorizing punitive damages and other exemplary relief and remedies; amending s. 682.12, F.S.; revising provisions relating to confirmation of an award; amending s. 682.13, F.S.; revising provisions relating to grounds for vacating an award; revising provisions relating to a motion for vacating an award; providing for a rehearing in certain circumstances; amending s. 682.14, F.S.; revising provisions relating to the time for moving to modify or correct an award; deleting references to the term "umpire"; revising a provision concerning confirmation of awards; amending s. 682.15, F.S.; revising provisions relating to a court order confirming, vacating without directing a rehearing, modifying, or correcting an award; providing for award of costs and attorney fees in certain circumstances; repealing s. 682.16, F.S., relating to judgment roll and docketing of certain orders; repealing s. 682.17, F.S., relating to application to court; repealing s. 682.18, F.S., relating to the definition of the term "court" and jurisdiction; creating s. 682.181, F.S.; providing for jurisdiction relating to the revised code; amending s. 682.19, F.S.; revising provisions relating to venue for actions relating to the code; amending s. 682.20, F.S.; providing that an appeal may be taken from an order denying confirmation of an award unless the court has entered an order under specified provisions; providing that all other orders denying confirmation of an award are final orders; repealing s. 682.21, F.S., relating to the previous code not applying retroactively; repealing s. 682.22, F.S., relating to conflict of laws; creating s. 682.23, F.S.; specifying the relationship of the code to the Electronic Signatures in Global and National Commerce Act; providing for applicability; creating s. 682.25, F.S.; providing that the revised code does not apply to any dispute involving child custody, visitation, or child support; amending s. 44.104, F.S.; deleting references to binding arbitration from provisions providing for voluntary trial resolution; providing for temporary relief; revising provisions relating to procedures in voluntary trial resolution; providing that a judgment is reviewable in the same manner as a judgment in a civil action; deleting provisions relating to applicability of the harmless error doctrine; providing limitations on the jurisdiction of a trial resolution judge; providing for the use of juries; amending s. 44.107, F.S.; providing immunity for voluntary trial resolution judges serving under specified provisions; amending ss. 440.1926, 489.1402, and 731.401, F.S.; conforming cross-references; providing a directive to the Division of Statutory Revision to redesignate the title of ch. 44, F.S., as "Alternative Dispute Resolution"; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 671—A bill to be entitled An act relating to liens on real property; amending s. 695.01, F.S.; providing that a lien imposed on real property by a governmental or quasi-governmental entity for certain purposes is not valid against a creditor or subsequent purchasers unless the lien is recorded; providing exceptions; specifying the required contents of the recorded notice of lien; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 1023—A bill to be entitled An act relating to suspension of driver licenses and motor vehicle registrations; amending s. 61.13016, F.S.; revising provisions providing for an obligor who is delinquent in support payments to petition the circuit court to direct the Department of Highway Safety and Motor Vehicles to issue to the obligor a driver license restricted to business purposes only; requiring that the court, before approving a schedule for an obligor's delinquent support payments, find that the obligor has the present ability to pay the child support arrearage and support obligation; requiring that the court direct the Department of Highway Safety and Motor Vehicles to suspend the obligor's driver license if the obligor fails to comply with the schedule of payments and if the obligor has the ability to pay; specifying that an obligor whose license and registration has been suspended may petition the court for a driver license restricted to business purposes under specified provisions that require the obligor to agree to a schedule of payment on arrearages and to maintain current obligations; amending s. 322.058, F.S.; requiring that the Department of Highway Safety and Motor Vehicles reinstate the driving privilege and allow registration of a motor vehicle of a person who has a delinquent support obligation or who has failed to comply with a subpoena, order to appear, order to show cause, or similar order, if the Title IV-D agency in IV-D cases, or the depository or the clerk of the court in non-IV-D cases, provides electronic notification to the department stating that the court has directed that the person be issued a license for driving privileges restricted to business purposes only; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 891—A bill to be entitled An act relating to Hillsborough County; providing that the act supersedes inconsistent provisions of chapter 2001-299, Laws of Florida; providing that a holder of a certificate of public convenience and necessity for taxicabs or a taxicab permit issued by the Hillsborough County Public Transportation Commission, pursuant to chapter 2001-299, Laws of Florida, has property rights in the certificate or permit; providing for the transfer of such certificate or permit; providing for the creation of the Driver Ownership Program to assist taxicab drivers in acquiring certificates and permits; providing for the adoption of rules; providing definitions; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 865—A bill to be entitled An act relating to Pinellas Suncoast Transit Authority, Pinellas County; amending chapter 2000-424, Laws of Florida; providing for alternative income revenues through a specified discretionary sales surtax under certain conditions; prohibiting the authority from levying and collecting ad valorem tax revenue after it elects to accept the discretionary sales surtax proceeds; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 1253—A bill to be entitled An act relating to the City of Jacksonville, Duval County; amending chapter 92-341, Laws of Florida, as amended; providing that the Consolidated Government of the City of Jacksonville may amend or repeal any portion of Article 24 of the city's

charter, which relates to the Jacksonville Economic Development Commission, by ordinance without approval of electors at a referendum or further action by the Legislature; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 1381—A bill to be entitled An act relating to the West Palm Beach Downtown Development Authority, Palm Beach County; amending chapter 2003-380, Laws of Florida; revising the development authority's boundaries; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 949—A bill to be entitled An act relating to juvenile justice education and workforce programs; amending s. 985.632, F.S.; requiring the Department of Juvenile Justice to provide cost and effectiveness information on programs and program activities and to implement an accountability system; requiring the department, in consultation with the Department of Education, to submit a report to the Governor and Legislature regarding program costs and effectiveness; requiring the report to include uniform cost data for programs, data on student learning gains, and recommendations for modification and elimination of programs and program activities; amending s. 1001.42, F.S.; conforming a cross-reference; amending s. 1003.52, F.S., relating to educational services in Department of Juvenile Justice programs; providing qualifications for instructional personnel; requiring the State Board of Education to adopt rules relating to quality assurance standards and review; requiring the Department of Education to monitor and report on the educational performance of youth in juvenile justice programs; requiring an individualized transition plan to be developed for each student receiving services in a juvenile justice education program; creating the Stephen R. Wise Commission for Juvenile Justice Education and Workforce Programs; providing membership, administrative support, and meeting requirements; requiring the commission to submit a report and make legislative recommendations relating to juvenile justice education program accountability, performance standards and evaluation, increased opportunities for juveniles in education and employment, effective program practices, duplicative processes, and funding mechanisms; providing for the dissolution of the commission; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 777—A bill to be entitled An act relating to securities law violations; amending s. 921.0022, F.S.; reclassifying certain securities law offenses for purposes of the offense severity ranking chart of the Criminal Punishment Code; providing an effective date.

—was read the second time by title.

Representative Eisnaugle offered the following:

(Amendment Bar Code: 704819)

Amendment 1 (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraphs (b) and (d) of subsection (3) of section 921.0022, Florida Statutes, are amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(b) LEVEL 2

Florida Statute	Felony Degree	Description
379.2431 (1)(e)3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.

379.2431 (1)(e)4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
403.413(5)(c)	3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous waste.
517.07(2) 517.07	3rd	Failure to furnish a prospectus meeting requirements. Registration of securities and furnishing of prospectus required.
590.28(1)	3rd	Intentional burning of lands.
784.05(3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
787.04(1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.
806.13(1)(b)3.	3rd	Criminal mischief; damage \$1,000 or more to public communication or any other public service.
810.061(2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
810.09(2)(e)	3rd	Trespassing on posted commercial horticulture property.
812.014(2)(c)1.	3rd	Grand theft, 3rd degree; \$300 or more but less than \$5,000.
812.014(2)(d)	3rd	Grand theft, 3rd degree; \$100 or more but less than \$300, taken from unenclosed curtilage of dwelling.
812.015(7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
817.234(1)(a)2.	3rd	False statement in support of insurance claim.
817.481(3)(a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
817.52(3)	3rd	Failure to redeliver hired vehicle.
817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
817.60(5)	3rd	Dealing in credit cards of another.
817.60(6)(a)	3rd	Forgery; purchase goods, services with false card.
817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
831.01	3rd	Forgery.
831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.

831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.	787.03(1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.	787.04(2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.	787.04(3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.	790.115(1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
832.05(3)(a)	3rd	Cashing or depositing item with intent to defraud.	790.115(2)(b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
843.08	3rd	Falsely impersonating an officer.	790.115(2)(c)	3rd	Possessing firearm on school property.
893.13(2)(a)2.	3rd	Purchase of any s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs other than cannabis.	800.04(7)(c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
893.147(2)	3rd	Manufacture or delivery of drug paraphernalia.	810.02(4)(a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
(d) LEVEL 4			810.02(4)(b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
Florida Statute	Felony Degree	Description	810.06	3rd	Burglary; possession of tools.
316.1935(3)(a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.	810.08(2)(c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
499.0051(1)	3rd	Failure to maintain or deliver pedigree papers.	812.014(2)(c)3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
499.0051(2)	3rd	Failure to authenticate pedigree papers.	812.014 (2)(c)4.-10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
499.0051(6)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.	812.0195(2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
<u>517.07(1)</u>	<u>3rd</u>	<u>Failure to register securities.</u>	817.563(1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
<u>517.12(1)</u>	<u>3rd</u>	<u>Failure of dealer, associated person, or issuer of securities to register.</u>	817.568(2)(a)	3rd	Fraudulent use of personal identification information.
784.07(2)(b)	3rd	Battery of law enforcement officer, firefighter, etc.	817.625(2)(a)	3rd	Fraudulent use of scanning device or reencoder.
784.074(1)(c)	3rd	Battery of sexually violent predators facility staff.	828.125(1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
784.075	3rd	Battery on detention or commitment facility staff.	837.02(1)	3rd	Perjury in official proceedings.
784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.	837.021(1)	3rd	Make contradictory statements in official proceedings.
784.08(2)(c)	3rd	Battery on a person 65 years of age or older.	838.022	3rd	Official misconduct.
784.081(3)	3rd	Battery on specified official or employee.	839.13(2)(a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
784.082(3)	3rd	Battery by detained person on visitor or other detainee.			
784.083(3)	3rd	Battery on code inspector.			
784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.			

839.13(2)(c)	3rd	Falsifying records of the Department of Children and Family Services.
843.021	3rd	Possession of a concealed handcuff key by a person in custody.
843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
843.15(1)(a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
847.0135(5)(c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
874.05(1)	3rd	Encouraging or recruiting another to join a criminal gang.
893.13(2)(a)1.	2nd	Purchase of cocaine (or other s. 893.03(1)(a), (b), or (d), (2)(a), (2)(b), or (2)(c)4. drugs).
914.14(2)	3rd	Witnesses accepting bribes.
914.22(1)	3rd	Force, threaten, etc., witness, victim, or informant.
914.23(2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
918.12	3rd	Tampering with jurors.
934.215	3rd	Use of two-way communications device to facilitate commission of a crime.

Section 2. This act shall take effect July 1, 2012.

TITLE AMENDMENT

Remove the entire title and insert:

A bill to be entitled

An act relating to criminal penalties for violations of securities laws; amending s. 921.0022, F.S.; increasing the offense severity ranking for failing to register securities with the Office of Financial Regulation; specifying the offense severity ranking for the failure of a dealer, associated person, or issuer of securities to register with the Office of Financial Regulation; providing an effective date.

Rep. Eisnaugle moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 429—A bill to be entitled An act relating to robbery by sudden snatching; amending s. 812.131, F.S.; clarifying that the offense of robbery by sudden snatching includes the taking of money or other property from the victim's person or from the area within the victim's immediate reach or control; providing criminal penalties; providing an effective date.

—was read the second time by title.

THE SPEAKER PRO TEMPORE IN THE CHAIR

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/HB 497—A bill to be entitled An act relating to juvenile expunction; amending s. 943.0582, F.S.; allowing minors who have certain

felony arrests to have the Department of Law Enforcement expunge their nonjudicial arrest record upon successful completion of a prearrest or postarrest diversion program; extending the application submission period for minors who have successfully completed a prearrest or postarrest diversion program; extending the application submission date for minors who completed the program before a certain date; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 7117—A bill to be entitled An act relating to energy; amending s. 186.801, F.S.; requiring utilities' 10-year site plans to address existing and proposed renewable energy production and purchases; amending s. 212.055, F.S.; providing for a portion of the proceeds of the local government infrastructure surtax to be used to provide loans, grants, and rebates to residential property owners who make energy efficiency improvements to their residential property, subject to referendum; defining the term "energy efficiency improvement"; amending s. 212.08, F.S.; providing definitions for the terms "biodiesel," "ethanol," and "renewable fuel"; providing for tax exemptions in the form of a rebate for the sale or use of certain equipment, machinery, and other materials for renewable energy technologies; providing eligibility requirements and tax credit limits; authorizing the Department of Revenue and the Department of Agriculture and Consumer Services to adopt rules; directing the Department of Agriculture and Consumer Services to determine and publish certain information relating to exemptions; providing for expiration of the exemption; amending s. 220.192, F.S.; providing definitions; reestablishing a corporate tax credit for certain costs related to renewable energy technologies; providing eligibility requirements and credit limits; providing rulemaking authority to the Department of Revenue and the Department of Agriculture and Consumer Services; directing the Department of Agriculture and Consumer Services to determine and publish certain information; providing for expiration of the tax credit; amending s. 220.193, F.S.; reestablishing a corporate tax credit for renewable energy production; providing definitions; providing a tax credit for the production and sale of renewable energy; providing requirements relating to the priority and proration of such tax credits under certain circumstances; providing for the use and transfer of the tax credit; limiting the amount of tax credits that may be granted to all taxpayers during a specified period; providing rulemaking authority to the Department of Revenue; providing for expiration of the tax credit; amending s. 255.257, F.S.; directing the Department of Management Services in coordination with the Department of Agriculture and Consumer Services to further develop the state energy management plan; amending s. 288.106, F.S.; clarifying the definition of "target industry business" for purposes of the tax refund program for qualified target industry businesses; amending s. 20.60, F.S.; requiring the Department of Economic Opportunity to prepare an independent economic impact study for certain renewable energy projects; amending s. 366.92, F.S.; providing and revising definitions; authorizing a utility to petition the Public Service Commission to determine that a proposed renewable energy project is in the public interest; providing standards and criteria for review; providing for cost recovery for reasonable and prudent costs incurred by a utility for an approved renewable energy project; requiring the Public Service Commission to adopt rules to establish a public interest determination process for renewable energy projects; establishing procedural guidelines for public interest determination; creating s. 366.94, F.S., relating to electric vehicle charging stations; providing legislative findings; providing that the rates, terms, and conditions of electric vehicle charging services by a nonutility are not subject to regulation by the Public Service Commission; providing construction; providing rulemaking authority to the Department of Agriculture and Consumer Services; prohibiting parking in spaces specifically designated for charging an electric vehicle under specified circumstances; providing penalties; amending s. 403.519, F.S.; requiring the Public Service Commission, in an electrical power plant need determination, to consider the need for fuel diversity to foster fuel supply reliability and rate stability; amending s. 526.203, F.S.; revising the definitions of the terms "blended gasoline" and "unblended gasoline"; defining the term "alternative fuel"; authorizing the sale of unblended fuels for certain uses; directing the Department of Agriculture and

Consumer Services to compile a list of retail fuel stations that sell or offer to sell unblended gasoline and provide that information on the department's website; amending s. 581.083, F.S.; prohibiting the cultivation of certain algae in plantings greater in size than 2 contiguous acres; providing exceptions; providing for exemption from special permitting requirements by rule; revising certain bonding requirements; requiring the Department of Agriculture and Consumer Services to conduct a statewide forest inventory analysis; requiring the Department of Agriculture and Consumer Services, in consultation with other state agencies, to develop a clearinghouse of information regarding cost savings associated with energy efficiency and conservation measures; requiring such information to be posted on its website; directing the Public Service Commission to conduct a study on the potential effects of electric vehicle charging stations on both energy consumption and the electric grid; providing an appropriation for the purpose of the Public Service Commission, in consultation with the Department of Agriculture and Consumer Services, contracting for an independent evaluation of the effectiveness of the Florida Energy Efficiency and Conservation Act; providing an effective date.

—was read the second time by title.

Representative Plakon offered the following:

(Amendment Bar Code: 143723)

Amendment 1 (with title amendment)—Between lines 112 and 113, insert:

Section 1. Paragraph (a) of subsection (2) of section 163.08, Florida Statutes, is amended to read:

163.08 Supplemental authority for improvements to real property.—

(2) As used in this section, the term:

(a) "Local government" means a county, a municipality, or a dependent special district as defined in s. 189.403 or a separate legal entity created pursuant to s. 163.01(7).

TITLE AMENDMENT

Remove line 2 and insert:

An act relating to energy; amending s. 163.08, F.S.; revising the definition of the term "local government"; amending s. 186.801, F.S.;

Rep. Plakon moved the adoption of the amendment, which was adopted.

Representative Plakon offered the following:

(Amendment Bar Code: 214917)

Amendment 2 (with title amendment)—Between lines 396 and 397, insert:

Section 4. Paragraph (w) of subsection (8) of section 213.053, Florida Statutes, is amended to read:

213.053 Confidentiality and information sharing.—

(8) Notwithstanding any other provision of this section, the department may provide:

(w) Information relative to ~~ss. 212.08(7)(hhh), 220.192, and 220.193~~ ~~to the Department of Agriculture and Consumer Services for use in the conduct of its official business.~~

Disclosure of information under this subsection shall be pursuant to a written agreement between the executive director and the agency. Such agencies, governmental or nongovernmental, shall be bound by the same requirements of confidentiality as the Department of Revenue. Breach of confidentiality is a misdemeanor of the first degree, punishable as provided by s. 775.082 or s. 775.083.

TITLE AMENDMENT

Remove line 23 and insert:

expiration of the exemption; amending s. 213.053, F.S.; expanding the authority of the Department of Revenue to disclose certain information; amending s. 220.192,

Rep. Plakon moved the adoption of the amendment, which was adopted.

Representative Plakon offered the following:

(Amendment Bar Code: 025953)

Amendment 3—Remove lines 587-600 and insert:

(b) The credit may be claimed for electricity produced and sold on or after January 1, ~~2013~~ ~~2007~~. Beginning in ~~2014~~ ~~2008~~ and continuing until ~~2017~~ ~~2011~~, each taxpayer claiming a credit under this section must ~~first~~ apply to the Department of Agriculture and Consumer Services by the date established by the Department of Agriculture and Consumer Services ~~by February 1 of each year~~ for an allocation of available credits for that year credit. The application form shall be adopted by rule of the Department of Agriculture and Consumer Services in consultation with the commission. The department, in consultation with the commission, shall develop an application form. The application form shall, at a minimum, require a sworn affidavit from each taxpayer certifying the increase in production and sales that form the basis of the application and certifying that all information contained in the application is true and correct.

(c) If the amount of credits applied for each year exceeds \$5 million, the Department of Agriculture and Consumer Services shall allocate credits to qualified applicants based on the following priority: award to each applicant a

Rep. Plakon moved the adoption of the amendment.

Representative Plakon offered the following:

(Amendment Bar Code: 350545)

Substitute Amendment 3—Remove lines 587-600 and insert:

(b) The credit may be claimed for electricity produced and sold on or after January 1, ~~2013~~ ~~2007~~. Beginning in ~~2014~~ ~~2008~~ and continuing until ~~2017~~ ~~2011~~, each taxpayer claiming a credit under this section must ~~first~~ apply to the Department of Agriculture and Consumer Services by the date established by the Department of Agriculture and Consumer Services ~~by February 1 of each year~~ for an allocation of available credits for that year credit. The application form shall be adopted by rule of the Department of Agriculture and Consumer Services in consultation with the commission. ~~The department, in consultation with the commission, shall develop an application form.~~ The application form shall, at a minimum, require a sworn affidavit from each taxpayer certifying the increase in production and sales that form the basis of the application and certifying that all information contained in the application is true and correct.

(c) If the amount of credits applied for each year exceeds \$5 million, the Department of Agriculture and Consumer Services shall allocate credits to qualified applicants based on the following priority: award to each applicant a

Rep. Plakon moved the adoption of the substitute amendment, which was adopted.

Representative Plakon offered the following:

(Amendment Bar Code: 104007)

Amendment 4 (with title amendment)—Remove lines 688-699 and insert:

and must provide other information that the Department of Agriculture and Consumer Services ~~department~~ requires.

(k) A taxpayer's use of the credit granted pursuant to this section does not reduce the amount of any credit available to such taxpayer under s. 220.186.

(4) The Department of Agriculture and Consumer Services shall make a determination on the eligibility of the applicant for the credits sought and certify the determination to the applicant and the Department of Revenue. The corporation must attach the Department of Agriculture and Consumer Services' certification to the tax return on which the credit is claimed. The Department of Agriculture and Consumer Services is responsible for ensuring that the corporate income tax credits granted in each fiscal year do not exceed the limits provided for in this section.

(5)(a) In addition to its existing audit and investigation authority, the Department of Revenue may perform any additional financial and technical audits and investigations, including examining the accounts, books, and records of the tax credit applicant, which are necessary to verify the information included in the tax credit return and to ensure compliance with this section. The Department of Agriculture and Consumer Services shall provide technical assistance when requested by the Department of Revenue on any technical audits or examinations performed pursuant to this section.

(b) It is grounds for forfeiture of previously claimed and received tax credits if the Department of Revenue determines, as a result of an audit or examination or from information received from the Department of Agriculture and Consumer Services, that a taxpayer received tax credits pursuant to this section to which the taxpayer was not entitled. The taxpayer is responsible for returning forfeited tax credits to the Department of Revenue, and such funds shall be paid into the General Revenue Fund of the state.

(c) The Department of Agriculture and Consumer Services may revoke or modify any written decision granting eligibility for tax credits under this section if it is discovered that the tax credit applicant submitted any false statement, representation, or certification in any application, record, report, plan, or other document filed in an attempt to receive tax credits under this section. The Department of Agriculture and Consumer Services shall immediately notify the Department of Revenue of any revoked or modified orders affecting previously granted tax credits. Additionally, the taxpayer must notify the Department of Revenue of any change in its tax credit claimed.

(d) The taxpayer shall file with the Department of Revenue an amended return or such other report as the Department of Revenue prescribes by rule and shall pay any required tax and interest within 60 days after the taxpayer receives notification from the Department of Agriculture and Consumer Services that previously approved tax credits have been revoked or modified. If the revocation or modification order is contested, the taxpayer shall file an amended return or other report as provided in this paragraph within 60 days after a final order is issued after proceedings.

(e) A notice of deficiency may be issued by the Department of Revenue at any time within 3 years after the taxpayer receives formal notification from the Department of Agriculture and Consumer Services that previously approved tax credits have been revoked or modified. If a taxpayer fails to notify the Department of Revenue of any changes to its tax credit claimed, a notice of deficiency may be issued at any time.

(6)(4) The Department of Revenue and the Department of Agriculture and Consumer Services ~~department~~ may adopt rules to implement and administer this section, including rules prescribing forms, the documentation needed to substantiate a claim for the tax credit, and the specific procedures and guidelines for claiming the credit.

(7) The Department of Agriculture and Consumer Services shall determine and publish on its website on a regular basis the amount of available tax credits remaining in each fiscal year.

(8)(5) This section shall take effect upon becoming law and shall apply to tax years beginning on and after January 1, ~~2013~~ 2007.

TITLE AMENDMENT

Remove line 42 and insert:

rulemaking authority to the Department of Revenue and the Department of Agriculture and Consumer Services; directing the Department of Agriculture and Consumer Services to provide certain information on its website;

Rep. Plakon moved the adoption of the amendment, which was adopted.

Representative Plakon offered the following:

(Amendment Bar Code: 617607)

Amendment 5—Remove lines 872-874 and insert:
determination of need pursuant to s. 403.519. A utility may seek approval of a renewable energy project pursuant to this section or, at its discretion, through any other available process.

Rep. Plakon moved the adoption of the amendment, which was adopted.

Representative Plakon offered the following:

(Amendment Bar Code: 243835)

Amendment 6 (with title amendment)—Between lines 1123 and 1124, insert:

Section 11. Paragraph (n) is added to subsection (2) of section 377.703, Florida Statutes, to read:

377.703 Additional functions of the Department of Agriculture and Consumer Services.—

(2) DUTIES.—The department shall perform the following functions, unless as otherwise provided, consistent with the development of a state energy policy:

(n) On an annual basis, the department shall prepare an assessment of the utilization of the tax exemption authorized in s. 212.08(7)(hhh), the renewable energy technologies investment tax credit authorized in s. 220.192, and the renewable energy production credit authorized in s. 220.193, which the department shall submit to the President of the Senate, the Speaker of the House of Representatives, and the Executive Office of the Governor by February 1 of each year. The assessment shall include, at a minimum, the following information:

1. For the tax exemption authorized in s. 212.08(7)(hhh):

a. The name of each taxpayer receiving an exemption under this section;

b. The amount of the exemption received by each taxpayer; and

c. The type and description of each eligible item for which each taxpayer is applying.

2. For the renewable energy technologies investment tax credit authorized in s. 220.192:

a. The name of each taxpayer receiving an allocation under this section;

b. The amount of the credits allocated for that fiscal year for each taxpayer; and

c. The type of technology and a description of each investment for which each taxpayer receives an allocation.

3. For the renewable energy production credit authorized in s. 220.193:

a. The name of each taxpayer receiving an allocation under this section;

b. The amount of credits allocated for that fiscal year for each taxpayer;

c. The type and amount of renewable energy produced and sold, whether the facility producing that energy is a new or expanded facility, and the approximate date on which production began; and

d. The aggregate amount of credits allocated for all taxpayers claiming credits under this section for the fiscal year.

TITLE AMENDMENT

Remove line 75 and insert:

circumstances; providing penalties; amending s. 377.703, F.S.; requiring the Department of Agriculture and Consumer Services to annually prepare an assessment of the use of specified energy-related tax credits; requiring specified information to be included in such assessment; amending s.

Rep. Plakon moved the adoption of the amendment, which was adopted.

Representative Plakon offered the following:

(Amendment Bar Code: 566345)

Amendment 7 (with title amendment)—Remove line 1134 and insert: reliability and fuel rate stability, the need for and supply

TITLE AMENDMENT

Remove line 79 and insert:
to foster fuel supply reliability and fuel rate stability;

Rep. Plakon moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

HM 717—A memorial to the Congress of the United States, urging Congress to cut the federal corporate tax rate.

WHEREAS, the combined United States average federal-state corporate income tax rate is over 39 percent, according to the Organization for Economic Cooperation & Development (OECD), meaning the United States imposes the second-highest overall statutory corporate tax rates in the industrialized world, much higher than the OECD average of 25 percent, and

WHEREAS, effective United States corporate tax rates are out of step with the rest of the world, with studies estimating the United States tax is between 4 and 17 percentage points higher than the averages of other countries, according to a Tax Foundation survey, and

WHEREAS, the federal corporate tax rate of 35 percent undermines the ability of every state in the nation to compete against lower-tax nations such as Canada, China, Great Britain, Ireland, Korea, and Singapore, and

WHEREAS, 75 nations have cut their corporate taxes since 2007, making it increasingly difficult for the United States to attract new business investment and jobs, and

WHEREAS, corporate taxes have been identified by the OECD as the most harmful tax for long-term economic growth by reducing investment, entrepreneurship, productivity, and wages, and

WHEREAS, according to the United States Census Bureau, federal corporate income tax collections in 2008 amounted to over \$2,000 for every American household, a tax that is borne by every American in the form of lower wages, higher prices, or lower dividends, and

WHEREAS, while many federal officials have identified corporate tax competitiveness as a serious problem, the Federal Government, as of yet, has no official policy regarding United States tax competitiveness, NOW, THEREFORE,

Be It Resolved by the Legislature of the State of Florida:

That the Florida Legislature urges the United States Congress to cut the federal corporate tax rate.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time by title. On motion by Rep. Burgin, the memorial was adopted and, under Rule 11.7(i), immediately certified to the Senate.

CS/CS/HB 337—A bill to be entitled An act relating to public-private partnerships; creating s. 287.05712, F.S.; providing definitions; providing legislative findings and intent relating to the construction or upgrade of facilities by private entities which are used predominately for a public purpose; requiring public entities to develop and adopt guidelines governing procedures and criteria for the selection of projects and public-private agreements; providing procurement procedures; providing project-approval requirements; providing project qualifications and process; providing for

notice to affected local jurisdictions; providing for interim and comprehensive agreements between the public and private entities; providing for use fees; providing for private financing requirements; providing powers and duties for private entities; providing for expiration or termination of agreements; providing for the applicability of sovereign immunity for public entities with respect to qualified projects; providing for construction of the act; providing an effective date.

—was read the second time by title.

Representative Williams, T. offered the following:

(Amendment Bar Code: 210363)

Amendment 1—Remove lines 605-606 and insert: sovereign immunity with respect to the project, including, but not limited to, its design, construction, and operation.

Rep. T. Williams moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 1461—A bill to be entitled An act relating to voter identification; amending s. 101.043, F.S.; deleting a provision which prohibits the use of the address appearing on the identification presented by an elector at the polls as a basis to confirm the elector's legal residence; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/CS/CS/HB 1261—A bill to be entitled An act relating to state employment; amending s. 110.105, F.S.; revising the employment policy of the state system of personnel management; amending s. 110.1127, F.S.; revising provisions relating to employee background screening; amending s. 110.119, F.S.; revising provisions relating to administrative leave for a service-connected disability; amending s. 110.1225, F.S.; revising provisions relating to agency furloughs; amending s. 110.126, F.S.; revising provisions relating to the authority of the Department of Management Services to administer oaths; amending s. 110.131, F.S.; revising the duties of state agencies with respect to the employment of other-personal-services employees; providing reporting requirements; amending s. 110.171, F.S.; revising provisions relating to state employee telecommuting; providing for a telework program; providing program requirements for agencies and employees; amending s. 110.181, F.S.; revising provisions relating to the Florida State Employees' Charitable Campaign; requiring state officers and employees to designate a charitable organization to receive certain charitable contributions; deleting provisions relating to the establishment of local steering committees and the distribution of funds; amending s. 110.217, F.S.; revising provisions relating to a change in an employee's position status; amending s. 110.227, F.S.; deleting requirements for an agency that removes from a promotional position a career service employee who is serving a probationary period in such position to return such employee to the employee's former position or a comparable position, if such a position is vacant; amending ss. 255.249, 402.3057, 409.1757, 413.20, 943.0585, and 943.059, F.S.; conforming provisions and cross-references; providing an effective date.

—was read the second time by title.

Representative Mayfield offered the following:

(Amendment Bar Code: 713415)

Amendment 1 (with title amendment)—Between lines 338 and 339, insert:

Section 7. Section 110.1315, Florida Statutes, is amended to read:
110.1315 Alternative retirement benefits; other-personal-services employees.—

(1) Upon review and ~~recommendation of the department and approval by of the Executive Office of the Governor, the Department of Financial Services shall provide may contract for the implementation of~~ an alternative retirement income security program for eligible temporary and seasonal employees of the state who are compensated from appropriations for other personal services. The Department of Financial Services may ~~contract with may provide for a~~ private vendor or vendors to administer the program under a defined-contribution plan under ss. 401(a) and 403(b) or s. 457 of the Internal Revenue Code, and the program must provide retirement benefits as required under s. 3121(b)(7)(F) of the Internal Revenue Code. The Department of ~~Financial Services~~ may develop a request for proposals and solicit qualified vendors to compete for the award of the contract. A vendor shall be selected on the basis of the plan that best serves the interest of the participating employees and the state. The proposal must comply with all necessary federal and state laws and rules.

(2) The Department of Financial Services may adopt rules necessary to administer this section.

TITLE AMENDMENT

Remove line 16 and insert:

requirements; amending s. 110.1315, F.S.; requiring the Department of Financial Services to provide an alternative retirement income security program for eligible temporary and seasonal employees; authorizing the department to adopt rules; amending s. 110.171, F.S.; revising

Rep. Mayfield moved the adoption of the amendment, which was adopted.

Representative Mayfield offered the following:

(Amendment Bar Code: 180569)

Amendment 2 (with title amendment)—Remove lines 523-530 and insert:

(d) A local steering committee shall be established in each fiscal agent area to assist in conducting the campaign ~~and to direct the distribution of undesignated funds remaining after partial distribution pursuant to paragraph (e).~~ The committee shall be composed of state employees selected by the fiscal agent from among recommendations provided by interested participating organizations, if any, and approved by the Statewide Steering Committee.

TITLE AMENDMENT

Remove lines 24-25 and insert:

contributions; revising purposes for the establishment of local steering committees; deleting provisions relating to the

Rep. Mayfield moved the adoption of the amendment, which was adopted.

Representative Mayfield offered the following:

(Amendment Bar Code: 790407)

Amendment 3 (with title amendment)—Between lines 536 and 537, insert:

Section 9. Subsection (6) of section 110.2035, Florida Statutes, is amended, and subsections (7) and (8) are added to that section, to read:

110.2035 Classification and compensation program.—

(6) The department shall establish and maintain an equitable pay plan applicable to all occupations and ~~shall~~ be responsible for the overall review, coordination, and administration of the pay plan.

(a) The department shall provide for broad, market-based pay bands for occupations and shall establish guidelines for the employing agencies to move employees through these pay bands. The employing agencies may determine the appropriate salary within the pay bands and guidelines adopted by the department. Such pay bands, and the assignment of broadband levels to positions, ~~are shall not constitute~~ rules within the meaning of s. 120.52.

(b) The department, in consultation with the Executive Office of the Governor and the legislative appropriations committees, shall conduct wage and salary surveys as necessary for the purpose of achieving ~~the goal of an~~ equitable, competitive, market-based pay policy.

(7)(e) ~~The department shall establish rules for the administration of pay additives, by rule, guidelines with respect to, and shall delegate to the employing agencies, if where appropriate, the authority to implement pay additives. The agency shall use pay additives, as appropriate, within the guidelines established by the department and consistent with directions contained in the General Appropriations Act, administer~~

(a) The following pay additives are authorized:

1. Shift differentials.
2. On call ~~On-call fees.~~
3. Hazardous duties ~~Hazardous-duty pay.~~
4. ~~Salary increase and decrease corrections.~~
- 4.5. Lead-worker duties ~~Lead-worker pay.~~
- 5.6. Temporary special duties ~~- general pay.~~
6. Temporary special duties – absent coworker.
7. Trainer duties ~~Trainer additive pay.~~
8. Competitive area differentials.
9. Critical market pay.

(b) Each state agency shall include in its annual legislative budget request a proposed written plan for implementing temporary special duties - general pay additives during the next fiscal year. Proposed revisions to an approved plan which become necessary during the fiscal year must be submitted by the agency to the department for review and recommendation to the Executive Office of the Governor. Such revisions may be implemented only after approval by the Executive Office of the Governor. A proposed revision is an action that is subject to s. 216.177.

(c) A new competitive area differential or a new critical market pay additive may not be implemented unless the department has reviewed and recommended such action and the Legislature has provided express authority to implement such action. This applies to an increase in the level of competitive area differentials or critical market pay additives, and to the initial establishment and implementation of a competitive area differential or critical market pay additive not in effect as of January 1, 2012.

(d) An agency may implement shift differential additives, on-call additives, hazardous duty additives, lead-worker additives, temporary special duty – absent coworker additives, and trainer duty additives as necessary to accomplish the agency's mission and in accordance with department rules, instructions contained in the General Appropriations Act, and applicable collective bargaining agreements.

(e) The department shall annually provide to the Executive Office of the Governor and the Legislature a summary report of the pay additives implemented pursuant to this section.

(8) An agency may implement salary increase and decrease corrections due to administrative errors.

The employing agency must use such pay additives as are appropriate within the guidelines established by the department and consistent with the directions of the Legislature contained in the General Appropriations Act. The employing agency shall advise the department, the Executive Office of the Governor, and the Legislature in writing of the plan for implementing such pay additives prior to the implementation date. An agency may not implement any pay additive to a cohort of positions sharing job classifications or job occupations unless the Legislature has specifically authorized such pay additives and such pay additives do not conflict with any collective bargaining agreement for that specific cohort of positions. Any action by an employing agency to implement temporary special duties pay, competitive area differentials, or critical market pay may be implemented only after the department has reviewed and recommended such action; however, an employing agency may use temporary special duties pay for up to 3 months without prior review by the department. The department shall annually provide to the Executive Office of the Governor and the Legislature a summary report of the pay additives implemented pursuant to this section.

TITLE AMENDMENT

Remove line 26 and insert:
distribution of funds; amending s. 110.2035, F.S.; revising provisions relating to pay additives; amending s. 110.217, F.S.;

Rep. Mayfield moved the adoption of the amendment, which was adopted.

Representative Mayfield offered the following:

(Amendment Bar Code: 166771)

Amendment 4 (with title amendment)—Between lines 536 and 537, insert:

Section 9. Subsection (7) of section 110.205, Florida Statutes, is amended to read:

110.205 Career service; exemptions.—

(7) CARRYING LEAVE FORWARD.—If an employee is transferred or otherwise moves from the Career Service System into the Selected Exempt Service, all of the employee's unused annual leave and, unused sick leave, and unused compensatory leave shall carry forward with the employee.

TITLE AMENDMENT

Remove line 26 and insert:
distribution of funds; amending s. 110.205, F.S.; deleting a provision authorizing the carrying forward of unused compensatory leave by certain employees; amending s. 110.217, F.S.;

Rep. Mayfield moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/CS/HB 625—A bill to be entitled An act relating to disposition of human remains; creating s. 406.49, F.S.; providing definitions; amending s. 406.50, F.S.; revising procedures for the reporting and disposition of unclaimed remains; prohibiting certain uses or dispositions of the remains of deceased persons whose identities are not known; amending s. 406.51, F.S.; requiring that local governmental contracts for the final disposition of unclaimed remains comply with certain federal regulations; conforming provisions to changes in terminology; conforming a cross-reference; amending s. 406.52, F.S.; revising procedures for the anatomical board's retention of human remains before their use; providing for claims by, and the release of human remains to, legally authorized persons after payment of certain expenses; authorizing county ordinances or resolutions for the final disposition of the unclaimed remains of indigent persons; limiting the liability of certain licensed persons for cremating or burying human remains under certain circumstances; amending s. 406.53, F.S.; revising exceptions from requirements for notice to the anatomical board of the death of indigent persons; deleting a requirement that the Department of Health assess fees for the burial of certain bodies; amending ss. 406.55, 406.56, and 406.57, F.S.; conforming provisions; amending s. 406.58, F.S.; requiring audits of the financial records of the anatomical board; conforming provisions; amending s. 406.59, F.S.; conforming provisions; amending s. 406.60, F.S.; authorizing certain facilities to dispose of human remains by cremation; amending s. 406.61, F.S.; revising provisions prohibiting the selling or buying of human remains or the transmitting or conveying of such remains outside the state; providing penalties; excepting accredited nontransplant anatomical donation organizations from the requirement for notification of and approval from the anatomical board for the conveyance of human remains for specified purposes; requiring human remains received by the anatomical board to be accompanied by a certain permit; prohibiting the dissection, segmentation, or disarticulation of remains before approval by the district medical examiner; prohibiting the offer of any monetary inducement or other valuable consideration in exchange for human remains; defining the term "valuable consideration"; allowing certain accredited schools and organizations to convey human remains within, into, or out of the state for medical or research purposes; requiring certain documentation before the use of human remains received in the state; providing exemptions for certain costs; providing an exemption; deleting

provisions relating to procedures for the conveyance of plastinated human remains into or out of the state pursuant to their scheduled expiration; conforming terminology; repealing s. 406.54, F.S., relating to claims of bodies after delivery to the anatomical board; amending s. 765.513, F.S.; revising the list of donees who may accept anatomical gifts and the purposes for which such a gift may be used; amending ss. 382.002 and 497.005, F.S.; revising the definition of the term "final disposition" for purposes of the Florida Vital Statistics Act and the Florida Funeral, Cemetery, and Consumer Services Act to include anatomical donations; providing an effective date.

—was read the second time by title.

Representative Roberson, K. offered the following:

(Amendment Bar Code: 818169)

Amendment 1—Remove lines 340-359 and insert:

(1)(a) The anatomical board may transport human remains outside the state for educational or scientific purposes. Any person who sells or buys any body or parts of bodies as described in this chapter or any person except a recognized Florida medical or dental school who transmits or conveys or causes to be transmitted or conveyed such body or parts of bodies to any place outside this state commits a misdemeanor of the first degree, punishable as provided in ss. 775.082 and 775.083. However, This chapter does not prohibit the transport of anatomical board from transporting human remains, any part of such remains specimens outside the state for educational or scientific purposes or prohibit the transport of bodies, parts of bodies, or tissue specimens in furtherance of lawful examination, investigation, or autopsy conducted pursuant to s. 406.11.

(b) Any person, institution, or organization that conveys human remains bodies or any part thereof parts of bodies into or out of the state for medical or dental education or research purposes shall notify the anatomical board of such intent and receive approval from the board.

(c) Notwithstanding paragraph (b), a nontransplant anatomical donation organization accredited by the American Association of Tissue Banks may convey human remains or any part thereof into or out of the state for medical or dental education or research purposes without notifying or receiving approval from the anatomical board.

(d) Any person who sells or buys human remains or any part thereof, or any person who transmits or conveys or causes to be transmitted or conveyed such remains or part thereof to any place outside this state, in violation of this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. This paragraph does not apply to a recognized Florida medical or dental school.

Rep. K. Roberson moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/HB 1097—A bill to be entitled An act relating to sexually violent predators; amending s. 394.913, F.S.; providing for prioritization of written assessment and recommendation for a person scheduled or up for review for release when the assessment and recommendation have not been completed within a specified period; amending s. 394.9135, F.S.; revising provisions relating to petitions to hold a person in custody following release and transfer to the Department of Children and Family Services to provide for extension of certain time periods that expire after normal business hours; amending s. 394.917, F.S.; deleting an exception for detainees for deportation by the United States Bureau of Citizenship and Immigration Services to provisions requiring sexually violent predators to be committed to the custody of the Department of Children and Family Services upon the expiration of the incarcerative portion of all criminal sentences and disposition of any detainees; creating s. 394.9265, F.S.; prohibiting the knowing and intentional bringing of contraband into or its removal from the grounds of any facility for commitment or detention of sexually violent predators; specifying items that

constitute contraband; providing criminal penalties for violations; providing exceptions; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 1195—A bill to be entitled An act relating to involuntary examinations under the Baker Act; amending s. 394.463, F.S.; authorizing physician assistants and advanced registered nurse practitioners to initiate involuntary examinations under the Baker Act of persons believed to have mental illness; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 309—A bill to be entitled An act relating to radiological personnel; amending s. 468.301, F.S.; defining the term "specialty technologist" as it relates to the certification of radiological personnel; amending s. 468.302, F.S.; providing titles for persons who hold a certificate as a specialty technologist; authorizing a person holding a certificate as a specialty technologist to perform the specific duties allowed for a specialty technologist as defined by the Department of Health; requiring that the duties fall within the scope of practice of the specialty as set by the national organization for the particular advanced, postprimary, or specialty area; amending s. 468.304, F.S.; providing criteria for certification as a specialty technologist; amending s. 468.306, F.S.; providing for an applicant for certification as a specialty technologist to be certified only by endorsement rather than by examination; amending s. 468.3065, F.S.; authorizing the department to issue a certificate by endorsement to practice as a specialty technologist to an applicant who meets certain criteria; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 413—A bill to be entitled An act relating to chiropractic medicine; amending s. 460.4062, F.S.; revising the requirements for obtaining a chiropractic medicine faculty certificate; amending s. 460.408, F.S.; authorizing the Board of Chiropractic Medicine to approve continuing education courses sponsored by chiropractic colleges under certain circumstances; prohibiting the board from approving certain courses in continuing chiropractic education; amending s. 460.406, F.S.; revising requirements for a person who desires to be licensed as a chiropractic physician; amending s. 460.413, F.S.; requiring that a chiropractic physician preserve the identity of funds or property of a patient in excess of a specified amount; limiting the amount that may be advanced to a chiropractic physician for certain costs and expenses; amending s. 460.4165, F.S.; providing that services rendered by a certified chiropractic physician's assistant under indirect supervision may occur only at the supervising chiropractic physician's address of record; deleting the length of time specified for the basic program of education and training for certified chiropractic physician's assistants; amending s. 460.4167, F.S.; authorizing certain sole proprietorships, group practices, partnerships, corporations, limited liability companies, limited partnerships, professional associations, other entities, health care clinics licensed under part X of ch. 400, F.S., health maintenance organizations, or prepaid health clinics to employ a chiropractic physician or engage a chiropractic physician as an independent contractor to provide services authorized by ch. 460, F.S.; authorizing the spouse or adult children of a deceased chiropractic physician to hold, operate, pledge, sell, mortgage, assign, transfer, own, or control the deceased chiropractic physician's ownership interests under certain conditions; authorizing an employer that employs a chiropractic physician to exercise control over the patient records of the employed chiropractic physician, the policies and decisions relating to pricing, credit, refunds, warranties, and advertising, and the decisions relating to office personnel and hours of practice; deleting an obsolete provision; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 1313—A bill to be entitled An act relating to dental hygienists; amending s. 466.017, F.S.; authorizing dental hygienists to administer certain local anesthesia under the direct supervision of a licensed dentist if certain educational requirements are met; requiring dental hygienists to maintain current certification in basic or advanced cardiopulmonary resuscitation or advanced cardiac life support with recertification every 2 years; amending s. 466.023, F.S.; revising the scope and area of practice for dental hygienists, to conform to changes made by this act; amending s. 466.024, F.S.; revising the delegated duties that are found to be remediable and delegable, to conform to changes made by this act; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/CS/HB 363—A bill to be entitled An act relating to physician assistants; amending ss. 458.347 and 459.022, F.S.; deleting the requirement that the Department of Health issue a license to a physician assistant to prescribe medicinal drugs and requiring only a prescriber number; requiring a physician assistant seeking to prescribe medicinal drugs to submit certain evidence at the time of initial licensure of completion of a course in pharmacotherapeutics from an accredited school; providing that a physician assistant wishing to apply for a prescriber number must submit course transcripts and a copy of the course description in addition to other licensure application requirements; requiring a physician assistant seeking to apply for a prescriber number upon biennial licensure renewal to submit evidence of completion of at least 3 classroom hours in an approved program that covers prescribing limitations, responsibilities, and privileges involved in prescribing medicinal drugs; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Representative Kreegel offered the following:

(Amendment Bar Code: 831777)

Amendment 1 (with directory and title amendments)—Remove lines 50-295 and insert:

3. The physician assistant must file with the department, before commencing to prescribe or dispense, evidence that he or she has completed a continuing medical education course of at least 3 classroom hours in prescriptive practice, conducted by an accredited program approved by the boards, which course covers the limitations, responsibilities, and privileges involved in prescribing medicinal drugs, or evidence that he or she has received education comparable to the continuing education course as part of an accredited physician assistant training program.

4. The physician assistant must file with the department a signed affidavit that he or she has completed a minimum of 10 continuing medical education hours in the specialty practice in which the physician assistant has prescriptive privileges with each licensure renewal application.

5. The department ~~may shall~~ issue a license and a prescriber number to the physician assistant granting authority for the prescribing of medicinal drugs authorized within this paragraph upon completion of the foregoing requirements. The physician assistant shall not be required to independently register pursuant to s. 465.0276.

6. The prescription must be written in a form that complies with chapter 499 and must contain, in addition to the supervisory physician's name, address, and telephone number, the physician assistant's prescriber number. Unless it is a drug or drug sample dispensed by the physician assistant, the prescription must be filled in a pharmacy permitted under chapter 465 and must be dispensed in that pharmacy by a pharmacist licensed under chapter 465. The appearance of the prescriber number creates a presumption that the physician assistant is authorized to prescribe the medicinal drug and the prescription is valid.

7. The physician assistant must note the prescription or dispensing of medication in the appropriate medical record.

8. This paragraph does not prohibit a supervisory physician from delegating to a physician assistant the authority to order medication for a hospitalized patient of the supervisory physician.

This paragraph does not apply to facilities licensed pursuant to chapter 395.

(f)1. The council shall establish a formulary of medicinal drugs that a fully licensed physician assistant having prescribing authority, ~~licensed~~ under this section or s. 459.022, may not prescribe. The formulary must include controlled substances as defined in chapter 893, general anesthetics, and radiographic contrast materials.

2. In establishing the formulary, the council shall consult with a pharmacist licensed under chapter 465, but not licensed under this chapter or chapter 459, who shall be selected by the State Surgeon General.

3. Only the council shall add to, delete from, or modify the formulary. Any person who requests an addition, deletion, or modification of a medicinal drug listed on such formulary has the burden of proof to show cause why such addition, deletion, or modification should be made.

4. The boards shall adopt the formulary required by this paragraph, and each addition, deletion, or modification to the formulary, by rule. Notwithstanding any provision of chapter 120 to the contrary, the formulary rule shall be effective 60 days after the date it is filed with the Secretary of State. Upon adoption of the formulary, the department shall mail a copy of such formulary to each fully licensed physician assistant having prescribing authority, ~~licensed~~ under this section or s. 459.022, and to each pharmacy licensed by the state. The boards shall establish, by rule, a fee not to exceed \$200 to fund the provisions of this paragraph and paragraph (e).

(7) PHYSICIAN ASSISTANT LICENSURE.—

(a) Any person desiring to be licensed as a physician assistant must apply to the department. The department shall issue a license to any person certified by the council as having met the following requirements:

1. Is at least 18 years of age.
2. Has satisfactorily passed a proficiency examination by an acceptable score established by the National Commission on Certification of Physician Assistants. If an applicant does not hold a current certificate issued by the National Commission on Certification of Physician Assistants and has not actively practiced as a physician assistant within the immediately preceding 4 years, the applicant must retake and successfully complete the entry-level examination of the National Commission on Certification of Physician Assistants to be eligible for licensure.
3. Has completed the application form and remitted an application fee not to exceed \$300 as set by the boards. An application for licensure made by a physician assistant must include:

- a. A certificate of completion of a physician assistant training program specified in subsection (6).
- b. A sworn statement of any prior felony convictions.
- c. A sworn statement of any previous revocation or denial of licensure or certification in any state.
- d. Two letters of recommendation.
- e. A copy of course transcripts and a copy of the course description from a physician assistant training program describing a pharmacotherapy course pursuant to subparagraph (4)(e)3., if the applicant wishes to apply for a prescriber number. These documents must meet the evidence requirements for prescribing authority.

Section 2. Paragraph (e) of subsection (4) and paragraph (a) of subsection (7) of section 459.022, Florida Statutes, are amended to read:

459.022 Physician assistants.—

(4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

(e) A supervisory physician may delegate to a fully licensed physician assistant the authority to prescribe or dispense any medication used in the supervisory physician's practice unless such medication is listed on the formulary created pursuant to s. 458.347. A fully licensed physician assistant may only prescribe or dispense such medication under the following circumstances:

1. A physician assistant must clearly identify to the patient that she or he is a physician assistant. Furthermore, the physician assistant must inform the

patient that the patient has the right to see the physician prior to any prescription being prescribed or dispensed by the physician assistant.

2. The supervisory physician must notify the department of her or his intent to delegate, on a department-approved form, before delegating such authority and notify the department of any change in prescriptive privileges of the physician assistant. Authority to dispense may be delegated only by a supervisory physician who is registered as a dispensing practitioner in compliance with s. 465.0276.

3. The physician assistant must file with the department, before commencing to prescribe or dispense, evidence that she or he has completed a continuing medical education course of at least 3 classroom hours in prescriptive practice, conducted by an accredited program approved by the boards, which course covers the limitations, responsibilities, and privileges involved in prescribing medicinal drugs, or evidence that she or he has received education comparable to the continuing education course as part of an accredited physician assistant training program.

4. The physician assistant must file with the department a signed affidavit that she or he has completed a minimum of 10 continuing medical education hours in the specialty practice in which the physician assistant has prescriptive privileges with each licensure renewal application.

5. The department may ~~shall~~ issue a license and a prescriber number to the physician assistant granting authority for the prescribing of medicinal drugs authorized within this paragraph upon completion of the foregoing requirements. The physician assistant shall not be required to independently register pursuant to s. 465.0276.

6. The prescription must be written in a form that complies with chapter 499 and must contain, in addition to the supervisory physician's name, address, and telephone number, the physician assistant's prescriber number. Unless it is a drug or drug sample dispensed by the physician assistant, the prescription must be filled in a pharmacy permitted under chapter 465, and must be dispensed in that pharmacy by a pharmacist licensed under chapter 465. The appearance of the prescriber number creates a presumption that the physician assistant is authorized to prescribe the medicinal drug and the prescription is valid.

7. The physician assistant must note the prescription or dispensing of medication in the appropriate medical record.

8. This paragraph does not prohibit a supervisory physician from delegating to a physician assistant the authority to order medication for a hospitalized patient of the supervisory physician.

This paragraph does not apply to facilities licensed pursuant to chapter 395.

(7) PHYSICIAN ASSISTANT LICENSURE.—

(a) Any person desiring to be licensed as a physician assistant must apply to the department. The department shall issue a license to any person certified by the council as having met the following requirements:

1. Is at least 18 years of age.
2. Has satisfactorily passed a proficiency examination by an acceptable score established by the National Commission on Certification of Physician Assistants. If an applicant does not hold a current certificate issued by the National Commission on Certification of Physician Assistants and has not actively practiced as a physician assistant within the immediately preceding 4 years, the applicant must retake and successfully complete the entry-level examination of the National Commission on Certification of Physician Assistants to be eligible for licensure.
3. Has completed the application form and remitted an application fee not to exceed \$300 as set by the boards. An application for licensure made by a physician assistant must include:

- a. A certificate of completion of a physician assistant training program specified in subsection (6).
- b. A sworn statement of any prior felony convictions.
- c. A sworn statement of any previous revocation or denial of licensure or certification in any state.
- d. Two letters of recommendation.
- e. A copy of course transcripts and a copy of the course description from a physician assistant training program describing a pharmacotherapy course pursuant to subparagraph (4)(e)3., if the applicant wishes to apply for a

prescriber number. These documents must meet the evidence requirements for prescribing authority.

DIRECTORY AMENDMENT

Remove lines 26-27 and insert:

Section 1. Paragraphs (e) and (f) of subsection (4) and paragraph (a) of subsection (7) of section 458.347,

TITLE AMENDMENT

Remove lines 3-20 and insert:

458.347 and 459.022, F.S.; authorizing, rather than requiring, the Department of Health to issue a prescriber number to a physician assistant granting authority for the specified prescribing of medicinal drugs upon completion of certain requirements; providing that a physician assistant wishing to apply for a prescriber number must submit course transcripts and a copy of the course description in addition to other licensure application requirements; conforming provisions

Rep. Kreegel moved the adoption of the amendment.

Representative Kreegel offered the following:

(Amendment Bar Code: 122275)

Substitute Amendment 1 (directory and title amendments)—Remove lines 50-295 and insert:

~~3. The physician assistant must file with the department, before commencing to prescribe or dispense, evidence that he or she has completed a continuing medical education course of at least 3 classroom hours in prescriptive practice, conducted by an accredited program approved by the boards, which course covers the limitations, responsibilities, and privileges involved in prescribing medicinal drugs, or evidence that he or she has received education comparable to the continuing education course as part of an accredited physician assistant training program.~~

3.4. The physician assistant must file with the department a signed affidavit that he or she has completed a minimum of 10 continuing medical education hours in the specialty practice in which the physician assistant has prescriptive privileges with each licensure renewal application.

4.5. The department ~~may~~ shall issue a license and a prescriber number to the physician assistant granting authority for the prescribing of medicinal drugs authorized within this paragraph upon completion of the foregoing requirements. The physician assistant shall not be required to independently register pursuant to s. 465.0276.

5.6. The prescription must be written in a form that complies with chapter 499 and must contain, in addition to the supervisory physician's name, address, and telephone number, the physician assistant's prescriber number. Unless it is a drug or drug sample dispensed by the physician assistant, the prescription must be filled in a pharmacy permitted under chapter 465 and must be dispensed in that pharmacy by a pharmacist licensed under chapter 465. The appearance of the prescriber number creates a presumption that the physician assistant is authorized to prescribe the medicinal drug and the prescription is valid.

6.7. The physician assistant must note the prescription or dispensing of medication in the appropriate medical record.

~~7.8.~~ This paragraph does not prohibit a supervisory physician from delegating to a physician assistant the authority to order medication for a hospitalized patient of the supervisory physician.

This paragraph does not apply to facilities licensed pursuant to chapter 395.

(f)1. The council shall establish a formulary of medicinal drugs that a fully licensed physician assistant having prescribing authority, ~~licensed~~ under this section or s. 459.022; may not prescribe. The formulary must include

controlled substances as defined in chapter 893, general anesthetics, and radiographic contrast materials.

2. In establishing the formulary, the council shall consult with a pharmacist licensed under chapter 465, but not licensed under this chapter or chapter 459, who shall be selected by the State Surgeon General.

3. Only the council shall add to, delete from, or modify the formulary. Any person who requests an addition, deletion, or modification of a medicinal drug listed on such formulary has the burden of proof to show cause why such addition, deletion, or modification should be made.

4. The boards shall adopt the formulary required by this paragraph, and each addition, deletion, or modification to the formulary, by rule. Notwithstanding any provision of chapter 120 to the contrary, the formulary rule shall be effective 60 days after the date it is filed with the Secretary of State. Upon adoption of the formulary, the department shall mail a copy of such formulary to each fully licensed physician assistant having prescribing authority, ~~licensed~~ under this section or s. 459.022, and to each pharmacy licensed by the state. The boards shall establish, by rule, a fee not to exceed \$200 to fund the provisions of this paragraph and paragraph (e).

(7) PHYSICIAN ASSISTANT LICENSURE.—

(a) Any person desiring to be licensed as a physician assistant must apply to the department. The department shall issue a license to any person certified by the council as having met the following requirements:

1. Is at least 18 years of age.

2. Has satisfactorily passed a proficiency examination by an acceptable score established by the National Commission on Certification of Physician Assistants. If an applicant does not hold a current certificate issued by the National Commission on Certification of Physician Assistants and has not actively practiced as a physician assistant within the immediately preceding 4 years, the applicant must retake and successfully complete the entry-level examination of the National Commission on Certification of Physician Assistants to be eligible for licensure.

3. Has completed the application form and remitted an application fee not to exceed \$300 as set by the boards. An application for licensure made by a physician assistant must include:

a. A certificate of completion of a physician assistant training program specified in subsection (6).

b. A sworn statement of any prior felony convictions.

c. A sworn statement of any previous revocation or denial of licensure or certification in any state.

d. Two letters of recommendation.

e. A copy of course transcripts and a copy of the course description from a physician assistant training program describing course content in pharmacotherapy, if the applicant wishes to apply for prescribing authority. These documents must meet the evidence requirements for prescribing authority.

Section 2. Paragraph (e) of subsection (4) and paragraph (a) of subsection (7) of section 459.022, Florida Statutes, are amended to read:

459.022 Physician assistants.—

(4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

(e) A supervisory physician may delegate to a fully licensed physician assistant the authority to prescribe or dispense any medication used in the supervisory physician's practice unless such medication is listed on the formulary created pursuant to s. 458.347. A fully licensed physician assistant may only prescribe or dispense such medication under the following circumstances:

1. A physician assistant must clearly identify to the patient that she or he is a physician assistant. Furthermore, the physician assistant must inform the patient that the patient has the right to see the physician prior to any prescription being prescribed or dispensed by the physician assistant.

2. The supervisory physician must notify the department of her or his intent to delegate, on a department-approved form, before delegating such authority and notify the department of any change in prescriptive privileges of the physician assistant. Authority to dispense may be delegated only by a supervisory physician who is registered as a dispensing practitioner in compliance with s. 465.0276.

~~3. The physician assistant must file with the department, before commencing to prescribe or dispense, evidence that she or he has completed~~

~~a continuing medical education course of at least 3 classroom hours in prescriptive practice, conducted by an accredited program approved by the boards, which course covers the limitations, responsibilities, and privileges involved in prescribing medicinal drugs, or evidence that she or he has received education comparable to the continuing education course as part of an accredited physician assistant training program.~~

3.4. The physician assistant must file with the department a signed affidavit that she or he has completed a minimum of 10 continuing medical education hours in the specialty practice in which the physician assistant has prescriptive privileges with each licensure renewal application.

4.5. The department ~~may~~ shall issue ~~a license and~~ a prescriber number to the physician assistant granting authority for the prescribing of medicinal drugs authorized within this paragraph upon completion of the foregoing requirements. The physician assistant shall not be required to independently register pursuant to s. 465.0276.

5.6. The prescription must be written in a form that complies with chapter 499 and must contain, in addition to the supervisory physician's name, address, and telephone number, the physician assistant's prescriber number. Unless it is a drug or drug sample dispensed by the physician assistant, the prescription must be filled in a pharmacy permitted under chapter 465, and must be dispensed in that pharmacy by a pharmacist licensed under chapter 465. The appearance of the prescriber number creates a presumption that the physician assistant is authorized to prescribe the medicinal drug and the prescription is valid.

6.7. The physician assistant must note the prescription or dispensing of medication in the appropriate medical record.

7.8. This paragraph does not prohibit a supervisory physician from delegating to a physician assistant the authority to order medication for a hospitalized patient of the supervisory physician.

This paragraph does not apply to facilities licensed pursuant to chapter 395.

(7) PHYSICIAN ASSISTANT LICENSURE.—

(a) Any person desiring to be licensed as a physician assistant must apply to the department. The department shall issue a license to any person certified by the council as having met the following requirements:

1. Is at least 18 years of age.
2. Has satisfactorily passed a proficiency examination by an acceptable score established by the National Commission on Certification of Physician Assistants. If an applicant does not hold a current certificate issued by the National Commission on Certification of Physician Assistants and has not actively practiced as a physician assistant within the immediately preceding 4 years, the applicant must retake and successfully complete the entry-level examination of the National Commission on Certification of Physician Assistants to be eligible for licensure.

3. Has completed the application form and remitted an application fee not to exceed \$300 as set by the boards. An application for licensure made by a physician assistant must include:

- a. A certificate of completion of a physician assistant training program specified in subsection (6).
- b. A sworn statement of any prior felony convictions.
- c. A sworn statement of any previous revocation or denial of licensure or certification in any state.
- d. Two letters of recommendation.
- e. A copy of course transcripts and a copy of the course description from a physician assistant training program describing course content in pharmacotherapy, if the applicant wishes to apply for prescribing authority. These documents must meet the evidence requirements for prescribing authority.

(b) The licensure must be renewed biennially. Each renewal must include:

1. A renewal fee not to exceed \$500 as set by the boards.
2. A sworn statement of no felony convictions in the previous 2 years.

Section 3. Paragraph (c) of subsection (4) of section 458.348, Florida Statutes, is amended to read:

458.348 Formal supervisory relationships, standing orders, and established protocols; notice; standards.—

(4) SUPERVISORY RELATIONSHIPS IN MEDICAL OFFICE SETTINGS.—A physician who supervises an advanced registered nurse

practitioner or physician assistant at a medical office other than the physician's primary practice location, where the advanced registered nurse practitioner or physician assistant is not under the onsite supervision of a supervising physician, must comply with the standards set forth in this subsection. For the purpose of this subsection, a physician's "primary practice location" means the address reflected on the physician's profile published pursuant to s. 456.041.

(c) A physician who supervises an advanced registered nurse practitioner or physician assistant at a medical office other than the physician's primary practice location, where the advanced registered nurse practitioner or physician assistant is not under the onsite supervision of a supervising physician and the services offered at the office are primarily dermatologic or skin care services, which include aesthetic skin care services other than plastic surgery, must comply with the standards listed in subparagraphs 1.-4. Notwithstanding s. ~~458.347(4)(e)6. 458.347(4)(e)7.~~, a physician supervising a physician assistant pursuant to this paragraph may not be required to review and cosign charts or medical records prepared by such physician assistant.

1. The physician shall submit to the board the addresses of all offices where he or she is supervising an advanced registered nurse practitioner or a physician's assistant which are not the physician's primary practice location.

2. The physician must be board certified or board eligible in dermatology or plastic surgery as recognized by the board pursuant to s. 458.3312.

3. All such offices that are not the physician's primary place of practice must be within 25 miles of the physician's primary place of practice or in a county that is contiguous to the county of the physician's primary place of practice. However, the distance between any of the offices may not exceed 75 miles.

4. The physician may supervise only one office other than the physician's primary place of practice except that until July 1, 2011, the physician may supervise up to two medical offices other than the physician's primary place of practice if the addresses of the offices are submitted to the board before July 1, 2006. Effective July 1, 2011, the physician may supervise only one office other than the physician's primary place of practice, regardless of when the addresses of the offices were submitted to the board.

Section 4. Paragraph (c) of subsection (3) of section 459.025, Florida Statutes, is amended to read:

459.025 Formal supervisory relationships, standing orders, and established protocols; notice; standards.—

(3) SUPERVISORY RELATIONSHIPS IN MEDICAL OFFICE SETTINGS.—An osteopathic physician who supervises an advanced registered nurse practitioner or physician assistant at a medical office other than the osteopathic physician's primary practice location, where the advanced registered nurse practitioner or physician assistant is not under the onsite supervision of a supervising osteopathic physician, must comply with the standards set forth in this subsection. For the purpose of this subsection, an osteopathic physician's "primary practice location" means the address reflected on the physician's profile published pursuant to s. 456.041.

(c) An osteopathic physician who supervises an advanced registered nurse practitioner or physician assistant at a medical office other than the osteopathic physician's primary practice location, where the advanced registered nurse practitioner or physician assistant is not under the onsite supervision of a supervising osteopathic physician and the services offered at the office are primarily dermatologic or skin care services, which include aesthetic skin care services other than plastic surgery, must comply with the standards listed in subparagraphs 1.-4. Notwithstanding s. ~~459.022(4)(e)6. 459.022(4)(e)7.~~, an osteopathic physician supervising a physician assistant pursuant to this paragraph may not be required to review and cosign charts or medical records prepared by such physician assistant.

1. The osteopathic physician shall submit to the Board of Osteopathic Medicine the addresses of all offices where he or she is supervising or has a protocol with an advanced registered nurse practitioner or a physician's assistant which are not the osteopathic physician's primary practice location.

2. The osteopathic physician must be board certified or board eligible in dermatology or plastic surgery as recognized by the Board of Osteopathic Medicine pursuant to s. 459.0152.

3. All such offices that are not the osteopathic physician's primary place of practice must be within 25 miles of the osteopathic physician's primary place of practice or in a county that is contiguous to the county of the osteopathic physician's primary place of practice. However, the distance between any of the offices may not exceed 75 miles.

4. The osteopathic physician may supervise only one office other than the osteopathic physician's primary place of practice except that until July 1, 2011, the osteopathic physician may supervise up to two medical offices other than the osteopathic physician's primary place of practice if the addresses of the offices are submitted to the Board of Osteopathic Medicine before July 1, 2006. Effective July 1, 2011, the osteopathic physician may supervise only one office other than the osteopathic physician's primary place of practice, regardless of when the addresses of the offices were submitted to the Board of Osteopathic Medicine.

DIRECTORY AMENDMENT

Remove lines 26-27 and insert:

Section 1. Paragraphs (e) and (f) of subsection (4) and paragraph (a) of subsection (7) of section 458.347,

TITLE AMENDMENT

Remove lines 3-22 and insert:

458.347 and 459.022, F.S.; revising requirements for physician assistants to prescribe or dispense medicinal drugs; authorizing, rather than requiring, the Department of Health to issue a prescriber number to physician assistants granting authority to prescribe medicinal drugs; providing that a physician assistant applying for prescribing authority must submit course transcripts and a copy of the course description in addition to other licensure application requirements; conforming provisions to changes made by the act; amending ss. 458.348 and 459.025, F.S.; conforming cross-references; providing an effective date.

Rep. Kreegel moved the adoption of the substitute amendment, which was adopted.

Under Rule 10.10(b), the was referred to the Engrossing Clerk.

CS/CS/HB 653—A bill to be entitled An act relating to health care fraud; amending s. 456.0635, F.S.; revising the grounds under which the Department of Health or corresponding board is required to refuse to admit a candidate to an examination and refuse to issue or renew a license, certificate, or registration of a health care practitioner; providing an exception; amending s. 456.036, F.S.; providing that all persons who were denied renewal of licensure, certification, or registration under s. 456.0635(3), F.S., may regain licensure, certification, or registration only by completing the application process for initial licensure; providing an exception; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/CS/HB 1355—A bill to be entitled An act relating to protection of vulnerable persons; amending s. 39.201, F.S.; revising language concerning child abuse reporting; requiring the Department of Children and Family Services to provide for web-chat and update other web-based forms for reporting child abuse, abandonment, or neglect; requiring a study on the use of short message format for the central abuse hotline; requiring the development of a public awareness campaign for the central abuse hotline; requiring the collection of statistical reports on child abuse and child sexual abuse on campuses of colleges and universities; amending s. 39.205, F.S.; increasing criminal penalties for knowingly and willfully failing to report known or suspected child abuse, abandonment, or neglect, or knowingly and willfully preventing another person from doing so; requiring specified educational institutions and their law enforcement agencies to report known or suspected child abuse, abandonment, or neglect in certain circumstances; providing financial penalties for violations; providing for challenges to

findings of determinations; proving for a presumption in certain circumstances; creating s. 39.309, F.S.; requiring the department to develop and implement a program of social services and rehabilitative services for the parent or legal custodian of a child seeking assistance; amending s. 409.1671, F.S.; requiring eligible lead community-based providers to have alternative response to protective investigations programs pursuant to specified provisions; creating s. 796.036, F.S.; providing for upward reclassification of certain prostitution offenses involving minors; amending s. 960.198, F.S.; providing for denial of relocation payment for a domestic violence claim if the Department of Legal Affairs has previously paid a sexual battery relocation claim to the same victim for the same incident; creating s. 960.199, F.S.; providing for relocation assistance payments to victims of sexual battery; providing criteria for awards; providing for denial of relocation payment for a sexual battery claim if the department has previously paid a domestic violence relocation claim to the same victim for the same incident; providing an appropriation; amending s. 1012.98, F.S.; providing a continuing education requirement for certain teachers on identifying and reporting child abuse and neglect; providing an appropriation; authorizing a specified numbers of full-time equivalent positions with associated salary rates within the Department of Children and Family Services; providing an effective date.

—was read the second time by title.

Representative Dorworth offered the following:

(Amendment Bar Code: 034315)

Amendment 1 (with title amendment)—Remove lines 295-297 and insert:

39.309 Parent assistance.—The department shall, in order to implement a parent assistance program:

Remove line 360 and insert:

10. A parent assistance

TITLE AMENDMENT

Remove line 30 and insert:

parent assistance

Rep. Dorworth moved the adoption of the amendment, which was adopted.

Representatives Harrell and Schwartz offered the following:

(Amendment Bar Code: 136077)

Amendment 2 (with title amendment)—Between lines 438 and 439, insert:

Section 11. Section 827.03, Florida Statutes, is amended to read: 827.03 Abuse, aggravated abuse, and neglect of a child; penalties.—

(1) DEFINITIONS.—As used in this section, the term:

(a) "Aggravated child abuse" occurs when a person:

1. Commits aggravated battery on a child;

2. Willfully tortures, maliciously punishes, or willfully and unlawfully cages a child; or

3. Knowingly or willfully abuses a child and in so doing causes great bodily harm, permanent disability, or permanent disfigurement to the child.

(b) "Child abuse" means:

1.(a) Intentional infliction of physical or mental injury upon a child;

2.(b) An intentional act that could reasonably be expected to result in physical or mental injury to a child; or

3.(c) Active encouragement of any person to commit an act that results or could reasonably be expected to result in physical or mental injury to a child.

~~A person who knowingly or willfully abuses a child without causing great bodily harm, permanent disability, or permanent disfigurement to the child~~

~~commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~

~~(2) "Aggravated child abuse" occurs when a person:~~

~~(a) Commits aggravated battery on a child;~~

~~(b) Willfully tortures, maliciously punishes, or willfully and unlawfully cages a child; or~~

~~(c) Knowingly or willfully abuses a child and in so doing causes great bodily harm, permanent disability, or permanent disfigurement to the child.~~

~~A person who commits aggravated child abuse commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~

~~(c) "Maliciously" means wrongfully, intentionally, and without legal justification or excuse. Maliciousness may be established by circumstances from which one could conclude that a reasonable parent would not have engaged in the damaging acts toward the child for any valid reason and that the primary purpose of the acts was to cause the victim unjustifiable pain or injury.~~

~~(d) "Mental injury" means injury to the intellectual or psychological capacity of a child as evidenced by a discernible and substantial impairment in the ability of the child to function within the normal range of performance and behavior as supported by expert testimony.~~

~~(e)(3)(a) "Neglect of a child" means:~~

~~1. A caregiver's failure or omission to provide a child with the care, supervision, and services necessary to maintain the child's physical and mental health, including, but not limited to, food, nutrition, clothing, shelter, supervision, medicine, and medical services that a prudent person would consider essential for the well-being of the child; or~~

~~2. A caregiver's failure to make a reasonable effort to protect a child from abuse, neglect, or exploitation by another person.~~

Except as otherwise provided in this section, neglect of a child may be based on repeated conduct or on a single incident or omission that results in, or could reasonably be expected to result in, serious physical or mental injury, or a substantial risk of death, to a child.

(2) OFFENSES.—

(a) A person who commits aggravated child abuse commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) A person who willfully or by culpable negligence neglects a child and in so doing causes great bodily harm, permanent disability, or permanent disfigurement to the child commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(c) A person who knowingly or willfully abuses a child without causing great bodily harm, permanent disability, or permanent disfigurement to the child commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

~~(d)(e) A person who willfully or by culpable negligence neglects a child without causing great bodily harm, permanent disability, or permanent disfigurement to the child commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~

(3) EXPERT TESTIMONY.—

(a) Except as provided in paragraph (b), a physician may not provide expert testimony in a criminal child abuse case unless the physician is a physician licensed under chapter 458 or chapter 459 or has obtained certification as an expert witness pursuant to s. 458.3175.

(b) A physician may not provide expert testimony in a criminal child abuse case regarding mental injury unless the physician is a physician licensed under chapter 458 or chapter 459 who has completed an accredited residency in psychiatry or has obtained certification as an expert witness pursuant to s. 458.3175.

(c) A psychologist may not give expert testimony in a criminal child abuse case regarding mental injury unless the psychologist is licensed under chapter 490.

(d) The expert testimony requirements of this subsection apply only to criminal child abuse cases and not to family court or dependency court cases.

~~(4) For purposes of this section, "maliciously" means wrongfully, intentionally, and without legal justification or excuse. Maliciousness may be established by circumstances from which one could conclude that a reasonable~~

~~parent would not have engaged in the damaging acts toward the child for any valid reason and that the primary purpose of the acts was to cause the victim unjustifiable pain or injury.~~

Section 12. Paragraph (d) of subsection (1) of section 775.084, Florida Statutes, is amended to read:

775.084 Violent career criminals; habitual felony offenders and habitual violent felony offenders; three-time violent felony offenders; definitions; procedure; enhanced penalties or mandatory minimum prison terms.—

(1) As used in this act:

(d) "Violent career criminal" means a defendant for whom the court must impose imprisonment pursuant to paragraph (4)(d), if it finds that:

1. The defendant has previously been convicted as an adult three or more times for an offense in this state or other qualified offense that is:

a. Any forcible felony, as described in s. 776.08;

b. Aggravated stalking, as described in s. 784.048(3) and (4);

c. Aggravated child abuse, as described in s. 827.03(2)(a);

d. Aggravated abuse of an elderly person or disabled adult, as described in s. 825.102(2);

e. Lewd or lascivious battery, lewd or lascivious molestation, lewd or lascivious conduct, or lewd or lascivious exhibition, as described in s. 800.04 or s. 847.0135(5);

f. Escape, as described in s. 944.40; or

g. A felony violation of chapter 790 involving the use or possession of a firearm.

2. The defendant has been incarcerated in a state prison or a federal prison.

3. The primary felony offense for which the defendant is to be sentenced is a felony enumerated in subparagraph 1. and was committed on or after October 1, 1995, and:

a. While the defendant was serving a prison sentence or other sentence, or court-ordered or lawfully imposed supervision that is imposed as a result of a prior conviction for an enumerated felony; or

b. Within 5 years after the conviction of the last prior enumerated felony, or within 5 years after the defendant's release from a prison sentence, probation, community control, control release, conditional release, parole, or court-ordered or lawfully imposed supervision or other sentence that is imposed as a result of a prior conviction for an enumerated felony, whichever is later.

4. The defendant has not received a pardon for any felony or other qualified offense that is necessary for the operation of this paragraph.

5. A conviction of a felony or other qualified offense necessary to the operation of this paragraph has not been set aside in any postconviction proceeding.

Section 13. Subsection (1) of section 775.0877, Florida Statutes, is amended to read:

775.0877 Criminal transmission of HIV; procedures; penalties.—

(1) In any case in which a person has been convicted of or has pled nolo contendere or guilty to, regardless of whether adjudication is withheld, any of the following offenses, or the attempt thereof, which offense or attempted offense involves the transmission of body fluids from one person to another:

(a) Section 794.011, relating to sexual battery;

(b) Section 826.04, relating to incest;

(c) Section 800.04, relating to lewd or lascivious offenses committed upon or in the presence of persons less than 16 years of age;

(d) Sections 784.011, 784.07(2)(a), and 784.08(2)(d), relating to assault;

(e) Sections 784.021, 784.07(2)(c), and 784.08(2)(b), relating to aggravated assault;

(f) Sections 784.03, 784.07(2)(b), and 784.08(2)(c), relating to battery;

(g) Sections 784.045, 784.07(2)(d), and 784.08(2)(a), relating to aggravated battery;

(h) Section 827.03(2)(c)(4), relating to child abuse;

(i) Section 827.03(2)(a), relating to aggravated child abuse;

(j) Section 825.102(1), relating to abuse of an elderly person or disabled adult;

(k) Section 825.102(2), relating to aggravated abuse of an elderly person or disabled adult;

(l) Section 827.071, relating to sexual performance by person less than 18 years of age;

(m) Sections 796.03, 796.07, and 796.08, relating to prostitution; or
 (n) Section 381.004(11)(b), relating to donation of blood, plasma, organs, skin, or other human tissue,

the court shall order the offender to undergo HIV testing, to be performed under the direction of the Department of Health in accordance with s. 381.004, unless the offender has undergone HIV testing voluntarily or pursuant to procedures established in s. 381.004(3)(h)6. or s. 951.27, or any other applicable law or rule providing for HIV testing of criminal offenders or inmates, subsequent to her or his arrest for an offense enumerated in paragraphs (a)-(n) for which she or he was convicted or to which she or he pled nolo contendere or guilty. The results of an HIV test performed on an offender pursuant to this subsection are not admissible in any criminal proceeding arising out of the alleged offense.

Section 14. Subsection (3) of section 782.07, Florida Statutes, is amended to read:

782.07 Manslaughter; aggravated manslaughter of an elderly person or disabled adult; aggravated manslaughter of a child; aggravated manslaughter of an officer, a firefighter, an emergency medical technician, or a paramedic.—

(3) A person who causes the death of any person under the age of 18 by culpable negligence under s. 827.03(2)(b)(3) commits aggravated manslaughter of a child, a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 15. Paragraphs (f), (g), and (i) of subsection (3) of section 921.0022, Florida Statutes, are amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(f) LEVEL 6

Florida Statute	Felony Degree	Description			
			784.082(2)	2nd	Aggravated assault by detained person on visitor or other detainee.
			784.083(2)	2nd	Aggravated assault on code inspector.
			787.02(2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
			790.115(2)(d)	2nd	Discharging firearm or weapon on school property.
			790.161(2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
			790.164(1)	2nd	False report of deadly explosive, weapon of mass destruction, or act of arson or violence to state property.
			790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
			794.011(8)(a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
			794.05(1)	2nd	Unlawful sexual activity with specified minor.
			800.04(5)(d)	3rd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender less than 18 years.
316.193(2)(b)	3rd	Felony DUI, 4th or subsequent conviction.	800.04(6)(b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
499.0051(3)	2nd	Knowing forgery of pedigree papers.			
499.0051(4)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.	806.031(2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
499.0051(5)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.	810.02(3)(c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
775.0875(1)	3rd	Taking firearm from law enforcement officer.	812.014(2)(b)1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
784.021(1)(a)	3rd	Aggravated assault; deadly weapon without intent to kill.	812.014(6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.
784.021(1)(b)	3rd	Aggravated assault; intent to commit felony.	812.015(9)(a)	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.
784.041	3rd	Felony battery; domestic battery by strangulation.	812.015(9)(b)	2nd	Retail theft; property stolen \$3,000 or more; coordination of others.
784.048(3)	3rd	Aggravated stalking; credible threat.	812.13(2)(c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
784.048(5)	3rd	Aggravated stalking of person under 16.			
784.07(2)(c)	2nd	Aggravated assault on law enforcement officer.	817.034(4)(a)1.	1st	Communications fraud, value greater than \$50,000.
784.074(1)(b)	2nd	Aggravated assault on sexually violent predators facility staff.	817.4821(5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
784.08(2)(b)	2nd	Aggravated assault on a person 65 years of age or older.	825.102(1)	3rd	Abuse of an elderly person or disabled adult.
784.081(2)	2nd	Aggravated assault on specified official or employee.	825.102(3)(c)	3rd	Neglect of an elderly person or disabled adult.

825.1025(3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.	316.1935(3)(b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
825.103(2)(c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$20,000.	327.35(3)(c)2.	3rd	Vessel BUI resulting in serious bodily injury.
827.03(2)(c) 827.03(1)	3rd	Abuse of a child.	402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfigurement, permanent disability, or death.
827.03(2)(d) 827.03(2)(e)	3rd	Neglect of a child.	409.920 (2)(b)1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
827.071(2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.	409.920 (2)(b)1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
836.05	2nd	Threats; extortion.	456.065(2)	3rd	Practicing a health care profession without a license.
836.10	2nd	Written threats to kill or do bodily injury.	456.065(2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
843.12	3rd	Aids or assists person to escape.	458.327(1)	3rd	Practicing medicine without a license.
847.011	3rd	Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.	459.013(1)	3rd	Practicing osteopathic medicine without a license.
847.012	3rd	Knowingly using a minor in the production of materials harmful to minors.	460.411(1)	3rd	Practicing chiropractic medicine without a license.
847.0135(2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.	461.012(1)	3rd	Practicing podiatric medicine without a license.
914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.	462.17	3rd	Practicing naturopathy without a license.
944.35(3)(a)2.	3rd	Committing malicious battery upon or inflicting cruel or inhuman treatment on an inmate or offender on community supervision, resulting in great bodily harm.	463.015(1)	3rd	Practicing optometry without a license.
944.40	2nd	Escapes.	464.016(1)	3rd	Practicing nursing without a license.
944.46	3rd	Harboring, concealing, aiding escaped prisoners.	465.015(2)	3rd	Practicing pharmacy without a license.
944.47(1)(a)5.	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.	466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.
951.22(1)	3rd	Intoxicating drug, firearm, or weapon introduced into county facility.	467.201	3rd	Practicing midwifery without a license.
(g) LEVEL 7			468.366	3rd	Delivering respiratory care services without a license.
Florida Statute	Felony Degree	Description	483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.
316.027(1)(b)	1st	Accident involving death, failure to stop; leaving scene.	483.901(9)	3rd	Practicing medical physics without a license.
316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.	484.013(1)(c)	3rd	Preparing or dispensing optical devices without a prescription.
			484.053	3rd	Dispensing hearing aids without a license.
			494.0018(2)	1st	Conviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.

560.123(8)(b)1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.	784.082(1)	1st	Aggravated battery by detained person on visitor or other detainee.
			784.083(1)	1st	Aggravated battery on code inspector.
560.125(5)(a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
			790.16(1)	1st	Discharge of a machine gun under specified circumstances.
655.50(10)(b)1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
775.21(10)(a)	3rd	Sexual predator; failure to register; failure to renew driver's license or identification card; other registration violations.	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
775.21(10)(b)	3rd	Sexual predator working where children regularly congregate.	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
775.21(10)(g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.	790.23	1st,PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).	794.08(4)	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
782.071	2nd	Killing of a human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).	796.03	2nd	Procuring any person under 16 years for prostitution.
782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).	800.04(5)(c)1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
784.045(1)(a)1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.	800.04(5)(c)2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender 18 years or older.
784.045(1)(a)2.	2nd	Aggravated battery; using deadly weapon.	806.01(2)	2nd	Maliciously damage structure by fire or explosive.
784.045(1)(b)	2nd	Aggravated battery; perpetrator aware victim pregnant.	810.02(3)(a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
784.048(4)	3rd	Aggravated stalking; violation of injunction or court order.	810.02(3)(b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
784.048(7)	3rd	Aggravated stalking; violation of court order.	810.02(3)(d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
784.07(2)(d)	1st	Aggravated battery on law enforcement officer.	810.02(3)(e)	2nd	Burglary of authorized emergency vehicle.
784.074(1)(a)	1st	Aggravated battery on sexually violent predators facility staff.	812.014(2)(a)1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
784.08(2)(a)	1st	Aggravated battery on a person 65 years of age or older.			
784.081(1)	1st	Aggravated battery on specified official or employee.	812.014(2)(b)2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.

812.014(2)(b)3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.	872.06	2nd	Abuse of a dead human body.
812.014(2)(b)4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.	874.10	1st,PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
812.0145(2)(a)	1st	Theft from person 65 years of age or older; \$50,000 or more.	893.13(1)(c)1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
812.019(2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.			
812.131(2)(a)	2nd	Robbery by sudden snatching.	893.13(1)(e)1.	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4., within 1,000 feet of property used for religious services or a specified business site.
812.133(2)(b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.			
817.234(8)(a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.	893.13(4)(a)	1st	Deliver to minor cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).
817.234(9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.	893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
817.234(11)(c)	1st	Insurance fraud; property value \$100,000 or more.	893.135(1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
817.2341 (2)(b) & (3)(b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.	893.135(1)(c)1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
825.102(3)(b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.	893.135(1)(d)1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
825.103(2)(b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$20,000 or more, but less than \$100,000.	893.135(1)(e)1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
			893.135(1)(f)1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
827.03(2) 827.03(3)(b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.	893.135(1)(g)1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
827.04(3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.	893.135(1)(h)1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
837.05(2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.	893.135(1)(j)1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
838.015	2nd	Bribery.	893.135(1)(k)2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
838.016	2nd	Unlawful compensation or reward for official behavior.	893.1351(2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
838.021(3)(a)	2nd	Unlawful harm to a public servant.	896.101(5)(a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
838.22	2nd	Bid tampering.	896.104(4)(a)1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
847.0135(3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.			
847.0135(4)	2nd	Traveling to meet a minor to commit an unlawful sex act.			

943.0435(4)(c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.	560.125(5)(c)	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.
943.0435(8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.	655.50(10)(b)3.	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
943.0435(9)(a)	3rd	Sexual offender; failure to comply with reporting requirements.	775.0844	1st	Aggravated white collar crime.
943.0435(13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.	782.04(1)	1st	Attempt, conspire, or solicit to commit premeditated murder.
943.0435(14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.	782.04(3)	1st,PBL	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, and other specified felonies.
944.607(9)	3rd	Sexual offender; failure to comply with reporting requirements.	782.051(1)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04(3).
944.607(10)(a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.	782.07(2)	1st	Aggravated manslaughter of an elderly person or disabled adult.
944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.	787.01(1)(a)1.	1st,PBL	Kidnapping; hold for ransom or reward or as a shield or hostage.
944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.	787.01(1)(a)2.	1st,PBL	Kidnapping with intent to commit or facilitate commission of any felony.
985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.	787.01(1)(a)4.	1st,PBL	Kidnapping with intent to interfere with performance of any governmental or political function.
985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.	787.02(3)(a)	1st	False imprisonment; child under age 13; perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.
985.4815(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.	790.161	1st	Attempted capital destructive device offense.
(i) LEVEL 9			790.166(2)	1st,PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
Florida Statute	Felony Degree	Description	794.011(2)	1st	Attempted sexual battery; victim less than 12 years of age.
316.193 (3)(c)3.b.	1st	DUI manslaughter; failing to render aid or give information.	794.011(2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.
327.35(3)(c)3.b.	1st	BUI manslaughter; failing to render aid or give information.	794.011(4)	1st	Sexual battery; victim 12 years or older, certain circumstances.
409.920 (2)(b)1.c.	1st	Medicaid provider fraud; \$50,000 or more.	794.011(8)(b)	1st	Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.
499.0051(9)	1st	Knowing sale or purchase of contraband prescription drugs resulting in great bodily harm.	794.08(2)	1st	Female genital mutilation; victim younger than 18 years of age.
560.123(8)(b)3.	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.	800.04(5)(b)	Life	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
			812.13(2)(a)	1st,PBL	Robbery with firearm or other deadly weapon.

812.133(2)(a)	1st,PBL	Carjacking; firearm or other deadly weapon.
812.135(2)(b)	1st	Home-invasion robbery with weapon.
817.568(7)	2nd, PBL	Fraudulent use of personal identification information of an individual under the age of 18 by his or her parent, legal guardian, or person exercising custodial authority.
<u>827.03(2)(a)</u> 827.03(2)	1st	Aggravated child abuse.
847.0145(1)	1st	Selling, or otherwise transferring custody or control, of a minor.
847.0145(2)	1st	Purchasing, or otherwise obtaining custody or control, of a minor.
859.01	1st	Poisoning or introducing bacteria, radioactive materials, viruses, or chemical compounds into food, drink, medicine, or water with intent to kill or injure another person.
893.135	1st	Attempted capital trafficking offense.
893.135(1)(a)3.	1st	Trafficking in cannabis, more than 10,000 lbs.
893.135 (1)(b)1.c.	1st	Trafficking in cocaine, more than 400 grams, less than 150 kilograms.
893.135 (1)(c)1.c.	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
893.135 (1)(d)1.c.	1st	Trafficking in phencyclidine, more than 400 grams.
893.135 (1)(e)1.c.	1st	Trafficking in methaqualone, more than 25 kilograms.
893.135 (1)(f)1.c.	1st	Trafficking in amphetamine, more than 200 grams.
893.135 (1)(h)1.c.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 10 kilograms or more.
893.135 (1)(j)1.c.	1st	Trafficking in 1,4-Butanediol, 10 kilograms or more.
893.135 (1)(k)2.c.	1st	Trafficking in Phenethylamines, 400 grams or more.
896.101(5)(c)	1st	Money laundering, financial instruments totaling or exceeding \$100,000.
896.104(4)(a)3.	1st	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$100,000.

Section 16. Subsection (1) of section 948.062, Florida Statutes, is amended to read:

948.062 Reviewing and reporting serious offenses committed by offenders placed on probation or community control.—

(1) The department shall review the circumstances related to an offender placed on probation or community control who has been arrested while on supervision for the following offenses:

- (a) Any murder as provided in s. 782.04;
- (b) Any sexual battery as provided in s. 794.011 or s. 794.023;
- (c) Any sexual performance by a child as provided in s. 827.071;
- (d) Any kidnapping, false imprisonment, or luring of a child as provided in s. 787.01, s. 787.02, or s. 787.025;
- (e) Any lewd and lascivious battery or lewd and lascivious molestation as provided in s. 800.04(4) or (5);
- (f) Any aggravated child abuse as provided in s. 827.03(2)(a) ~~s. 827.03(2)~~;
- (g) Any robbery with a firearm or other deadly weapon, home invasion robbery, or carjacking as provided in s. 812.13(2)(a), s. 812.135, or s. 812.133;
- (h) Any aggravated stalking as provided in s. 784.048(3), (4), or (5);
- (i) Any forcible felony as provided in s. 776.08, committed by a ~~any~~ person on probation or community control who is designated as a sexual predator; or

(j) Any DUI manslaughter as provided in s. 316.193(3)(c), or vehicular or vessel homicide as provided in s. 782.071 or s. 782.072, committed by a ~~any~~ person who is on probation or community control for an offense involving death or injury resulting from a driving incident.

Section 17. Paragraphs (a) and (b) of subsection (3) and subsection (14) of section 960.03, Florida Statutes, are amended to read:

960.03 Definitions; ss. 960.01-960.28.—As used in ss. 960.01-960.28, unless the context otherwise requires, the term:

(3) "Crime" means:

(a) A felony or misdemeanor offense committed by either an adult or a juvenile which results in physical injury or death, or a felony or misdemeanor offense committed by either an adult or juvenile which results in a mental injury to a person younger than 18 years of age who was not physically injured by the criminal act. The mental injury to the minor must be documented by expert testimony, applies only in cases of criminal child abuse, and must be verified by a professional licensed as a physician under chapter 458 or chapter 459, who has completed an accredited residency in psychiatry, or a psychologist licensed under chapter 490. The term also includes any such criminal act that which is committed within this state but that which falls exclusively within federal jurisdiction.

(b) Notwithstanding the criteria set forth in section 960.03(3)(a) for victim compensation awards, no act involving the operation of a motor vehicle, boat or aircraft that results in an injury or death shall constitute a crime for purposes of this chapter unless the injury or death was intentionally inflicted, or the act is a violation of s. 316.193, s. 316.027(1), s. 327.35(1), s. 782.071(1)(b), or s. 860.13(1)(a) which results in physical injury or death. A violation of s. 316.193, s. 316.027(1), s. 327.35(1), s. 782.071(1)(b), or s. 860.13(1)(a) which results in physical injury or death; however, no other act involving the operation of a motor vehicle, boat, or aircraft which results in injury or death shall constitute a crime for the purpose of this chapter unless the injury or death was intentionally inflicted through the use of such vehicle, boat, or aircraft or unless such vehicle, boat, or aircraft is an implement of a crime to which this act applies.

(14) "Victim" means:

(a) A person who suffers personal physical injury or death as a direct result of a crime;

(b) A person younger than 18 years of age who was present at the scene of a crime, saw or heard the crime, and suffered a psychiatric or psychological injury because of the crime, but who was not physically injured; ~~or~~

(c) A person younger than 18 years of age who was the victim of a felony or misdemeanor offense of child abuse that resulted in a mental injury, but who was not physically injured; or

(d)(e) A person against whom a forcible felony was committed and who suffers a psychiatric or psychological injury as a direct result of that crime but who does not otherwise sustain a personal physical injury or death.

Remove line 51 and insert:

Children and Family Services; amending s. 827.03, F.S.; defining the term "mental injury" with respect to the offenses of abuse, aggravated abuse, and neglect of a child; requiring that a physician or psychologist acting as an expert witness in certain proceedings have certain credentials; amending ss. 775.084, 775.0877, 782.07, 921.0022, and 948.062, F.S.; conforming cross-references; amending s. 960.03, F.S.; redefining the term "crime" for purposes of crime victims compensation to include additional forms of injury; redefining the term "victim" to conform with the modified definition of the term "crime"; providing an effective

Rep. Harrell moved the adoption of the amendment.

Representative Harrell offered the following:

(Amendment Bar Code: 091325)

Amendment 1 to Amendment 2— Remove lines 482-522 of the amendment and insert:

(3) "Crime" means:

(a) A felony or misdemeanor offense committed by ~~either~~ an adult or a juvenile which results in physical injury or death, or a felony or misdemeanor offense of child abuse committed by an adult or a juvenile which results in a mental injury, as defined in s. 827.03, to a person younger than 18 years of age who was not physically injured by the criminal act. The mental injury to the minor must be verified by a psychologist licensed under chapter 490, by a physician licensed in this state under chapter 458 or chapter 459 who has completed an accredited residency in psychiatry, or by a physician who has obtained certification as an expert witness pursuant to s. 458.3175.

The term also includes ~~a any such~~ criminal act ~~that which~~ is committed within this state but ~~that which~~ falls exclusively within federal jurisdiction.

(b) A violation of s. 316.193, s. 316.027(1), s. 327.35(1), s. 782.071(1)(b), or s. 860.13(1)(a) which results in physical injury or death; however, ~~an no other~~ act involving the operation of a motor vehicle, boat, or aircraft which results in injury or death does not shall constitute a crime for the purpose of this chapter unless the injury or death was intentionally inflicted through the use of ~~the such~~ vehicle, boat, or aircraft ~~or unless such vehicle, boat, or aircraft is an implement of a crime to which this act applies.~~

(c) A criminal act committed outside of this state against a resident of this state which would have been compensable if it had occurred in this state and which occurred in a jurisdiction that does not have an eligible crime victim compensation program as the term is defined in the federal Victims of Crime Act of 1984.

(d) ~~A Any~~ violation of s. 827.071, s. 847.0135, s. 847.0137, or s. 847.0138, related to online sexual exploitation and child pornography.

(14) "Victim" means:

(a) A person who suffers personal physical injury or death as a direct result of a crime;

(b) A person younger than 18 years of age who was present at the scene of a crime, saw or heard the crime, and suffered a psychiatric or psychological injury because of the crime; but who was not physically injured; ~~or~~

(c) A person younger than 18 years of age who was the victim of a felony or misdemeanor offense of child abuse that resulted in a mental injury as defined by s. 827.03 but who was not physically injured; or

Rep. Harrell moved the adoption of the amendment to the amendment, which was adopted.

The question recurred on adoption of **Amendment 2**, as amended, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HJR 931—A joint resolution proposing an amendment to Section 7 of Article IX of the State Constitution to require the Governor to appoint a state

university student body president to the Board of Governors of the State University System.

—was read the second time by title.

Representative Soto offered the following:

(Amendment Bar Code: 809755)

Amendment 1 (with ballot and title amendment)—Remove lines 51-66 and insert:

law. The governor shall appoint to the board fourteen citizens dedicated to the purposes of the state university system. The appointed members shall be confirmed by the senate and serve staggered terms of seven years as provided by law. The commissioner of education, the chair of the advisory council of faculty senates, or the equivalent, and the chair of the council of student body presidents, which council shall be organized by the board of governors and consist of all the student body presidents of the state university system ~~president of the Florida student association, or the equivalent,~~ shall also be members of the board.

BALLOT AMENDMENT

Remove lines 71-87 and insert:

APPOINTMENT OF STUDENT BODY PRESIDENT TO BOARD OF GOVERNORS OF THE STATE UNIVERSITY SYSTEM.—Proposing an amendment to the State Constitution to replace the president of the Florida Student Association with the chair of the council of state university student body presidents as the student member of the Board of Governors of the State University System and to require that the Board of Governors organize such council of state university student body presidents.

TITLE AMENDMENT

Remove lines 3-6 and insert:

of Article IX of the State Constitution to revise the selection process for the student member of the Board of Governors of the State University System.

Rep. Soto moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/HB 7063—A bill to be entitled An act relating to digital learning; amending s. 1002.20, F.S.; providing student and parent rights relating to the eligibility of Florida Virtual School full-time students to participate in interscholastic extracurricular activities at certain public schools; amending s. 1002.321, F.S.; revising provisions relating to virtual instruction through blended learning courses; prohibiting any person from taking an online course or examination on behalf of another person for compensation; providing a penalty; amending s. 1002.37, F.S.; providing that the Florida Virtual School may provide part-time instruction for students in kindergarten through grade 12; providing student eligibility requirements for part-time instruction in kindergarten through grade 5; deleting a requirement that an elementary school principal provide certain notification to parents; revising the location where statewide assessments must be taken; amending s. 1002.45, F.S.; revising provisions relating to school district options for providing full-time and part-time virtual instruction programs and the open enrollment period for participation; providing that a part-time virtual instruction program offers instruction for students enrolled in kindergarten through grade 12 courses; requiring an additional qualification for a virtual instruction program provider to obtain Department of Education approval; conforming funding provisions to changes made by the act; amending s. 1002.455, F.S.; revising provisions relating to eligibility requirements for virtual instruction and virtual instruction options; amending s. 1003.428, F.S.; placing restrictions on the online course requirement for high school graduation; amending s. 1003.498, F.S.; providing requirements for blended learning courses; amending s. 1003.57, F.S.; providing responsibilities and requirements for the enrollment of exceptional students in a full-time virtual

instruction program; amending s. 1006.15, F.S.; providing conditions for eligibility for a Florida Virtual School full-time student and certain students who transfer to or from the Florida Virtual School to participate in interscholastic extracurricular activities; amending s. 1011.61, F.S.; revising and conforming provisions relating to the definition of a full-time equivalent student in full-time and part-time virtual instruction programs; amending s. 1011.62, F.S.; correcting and conforming cross-references; providing that full-time virtual instruction programs are eligible to report student membership in the ESOL program for funding purposes; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 7059—A bill to be entitled An act relating to acceleration options in public education; creating s. 1002.3105, F.S., relating to Academically Challenging Curriculum to Enhance Learning (ACCEL) options, to provide eligible public school students educational options that provide academically challenging curriculum or accelerated instruction; providing school principal and school district determined student eligibility and procedural requirements; requiring a process by which a parent may request student participation, including the execution of a performance contract in certain instances; amending ss. 1001.64 and 1001.65, F.S.; conforming provisions relating to dual enrollment articulation agreements between Florida College System institutions and school districts; amending ss. 1002.20 and 1002.41, F.S.; conforming cross-references; amending s. 1003.02, F.S.; requiring school districts to notify parents of options for early or accelerated high school graduation; amending s. 1003.428, F.S.; conforming provisions; creating s. 1003.4281, F.S., relating to early high school graduation; defining the term "early graduation"; requiring that each school district adopt a policy that provides a high school student with the option of graduating early; requiring parental notification of student eligibility; providing for receipt of an initial Florida Bright Futures Scholarship Program award; providing requirements for funding high school credits; amending s. 1003.4295, F.S.; requiring that students be advised of acceleration options; authorizing all students to participate in the Credit Acceleration Program; amending s. 1003.436, F.S.; conforming provisions; amending s. 1003.437, F.S.; specifying that the middle and high school grading system applies to the course level; amending s. 1003.491, F.S.; revising provisions relating to the Florida Career and Professional Education Act; revising the basis for the strategic plan to address workforce demands; providing for coordination to promote and support career-themed courses that lead to industry certification; amending s. 1003.492, F.S.; requiring secondary schools offering career-themed courses to coordinate with the appropriate industry; amending s. 1003.493, F.S.; revising provisions relating to career and professional academies; defining the term "career-themed" course; amending s. 1003.4935, F.S.; requiring district school boards to include plans to implement career-themed courses; repealing s. 1007.235, F.S., relating to district interinstitutional articulation agreements; amending s. 1007.263, F.S.; eliminating an exemption from Florida College System admission requirements for certain secondary students; amending s. 1007.27, F.S., relating to articulated acceleration mechanisms; deleting duplicative language relating to early admission; amending s. 1007.271, F.S., relating to dual enrollment programs; providing student eligibility requirements and restrictions for enrollment and continued enrollment in dual enrollment courses; authorizing a participation limit based upon capacity; providing requirements for faculty members providing instruction in college credit dual enrollment courses; providing curriculum standards for college credit dual enrollment; clarifying district school board duties; establishing a minimum and maximum number of college credit hours for participation in an early admission program; providing home education student eligibility requirements for enrollment in dual enrollment courses; requiring a home education articulation agreement; providing requirements for the development and contents of a school district and Florida College System institution dual enrollment articulation agreement; requiring the Department of Education to develop an electronic submission system for dual enrollment articulation agreements and to review agreements for compliance; authorizing

dual enrollment articulation agreements with state universities, eligible independent colleges and universities, and private secondary schools; repealing s. 1007.272, F.S., relating to joint dual enrollment and advanced placement instruction; amending s. 1008.22, F.S.; requiring that the end-of-course assessment in Algebra I be administered four times annually; amending s. 1008.25, F.S.; revising legislative intent relating to public school student progression; requiring the comprehensive student progression plan to include information for students and parents on accelerated educational options; deleting a technical assistance responsibility of the department; amending s. 1009.25, F.S.; conforming a cross-reference; amending ss. 1009.531 and 1009.532, F.S.; providing requirements for the evaluation of certain students for initial and renewal awards under the Florida Bright Futures Scholarship Program; amending s. 1011.61, F.S.; providing reporting requirements for school districts for a full-time equivalent student in courses requiring certain statewide, standardized end-of-course assessments and for a student who passes a statewide, standardized end-of-course assessment without being enrolled in the corresponding course; amending s. 1011.62, F.S.; providing for calculation of additional full-time equivalent membership based on completion of career-themed courses; providing a calculation of additional full-time equivalent membership based on early high school graduation; providing an effective date.

—was read the second time by title.

Representative Stargel offered the following:

(Amendment Bar Code: 931005)

Amendment 1 (with title amendment)—Between lines 289 and 290, insert:

Section 7. Paragraph (a) of subsection (1) of section 1003.4156, Florida Statutes, is amended to read:

1003.4156 General requirements for middle grades promotion.—

(1) Promotion from a school composed of middle grades 6, 7, and 8 requires that:

(a) The student must successfully complete academic courses as follows:

1. Three middle school or higher courses in English. These courses shall emphasize literature, composition, and technical text.

2. Three middle school or higher courses in mathematics. Each middle school must offer at least one high school level mathematics course for which students may earn high school credit. Successful completion of a high school level Algebra I or geometry course is not contingent upon the student's performance on the end-of-course assessment required under s. 1008.22(3)(c) 2.a.(I). However, beginning with the 2011-2012 school year, to earn high school credit for an Algebra I course, a middle school student must pass the Algebra I end-of-course assessment, and beginning with the 2012-2013 school year, to earn high school credit for a geometry course, a middle school student must pass the geometry end-of-course assessment.

3. Three middle school or higher courses in social studies, one semester of which must include the study of state and federal government and civics education. Beginning with students entering grade 6 in the 2012-2013 school year, one of these courses must be at least a one-semester civics education course that a student successfully completes in accordance with s. 1008.22(3)(c) and that includes the roles and responsibilities of federal, state, and local governments; the structures and functions of the legislative, executive, and judicial branches of government; and the meaning and significance of historic documents, such as the Articles of Confederation, the Declaration of Independence, and the Constitution of the United States.

4. Three middle school or higher courses in science. Successful completion of a high school level Biology I course is not contingent upon the student's performance on the end-of-course assessment required under s. 1008.22(3)(c) 2.a.(II). However, beginning with the 2012-2013 school year, to earn high school credit for a Biology I course, a middle school student must pass the Biology I end-of-course assessment.

5. One course in career and education planning to be completed in 6th, 7th, or 8th grade. The course may be taught by any member of the instructional staff; must result in a completed personalized academic and career plan for

the student; must emphasize technology or the application of technology in career fields; and, beginning in the 2014-2015 academic year, must include information from the Department of Economic Opportunity's economic security report as described in s. 445.07 must include career exploration using Florida CHOICES or a comparable cost effective program; must include educational planning using the online student advising system known as Florida Academic Counseling and Tracking for Students at the Internet website FACTS.org; and shall result in the completion of a personalized academic and career plan. The required personalized academic and career plan must inform students of high school graduation requirements, high school assessment and college entrance test requirements, Florida Bright Futures Scholarship Program requirements, state university and Florida College System institution admission requirements, and programs through which a high school student can earn college credit, including Advanced Placement, International Baccalaureate, Advanced International Certificate of Education, dual enrollment, career academy and career-themed course opportunities, and courses that lead to national industry certification.

A student with a disability, as defined in s. 1007.02(2), for whom the individual education plan team determines that an end-of-course assessment cannot accurately measure the student's abilities, taking into consideration all allowable accommodations, shall have the end-of-course assessment results waived for purposes of determining the student's course grade and completing the requirements for middle grades promotion. Each school must ~~hold a parent meeting either in the evening or on a weekend to inform parents about the course curriculum and activities. Each student shall complete a an~~ electronic personal education plan that must be signed by the student; ~~the student's instructor, guidance counselor, or academic advisor;~~ and the student's parent. The Department of Education shall develop course frameworks and professional development materials for the career ~~exploration~~ and education planning course. The course may be implemented as a stand-alone course or integrated into another course or courses. The Commissioner of Education shall collect longitudinal high school course enrollment data by student ethnicity in order to analyze course-taking patterns.

TITLE AMENDMENT

Between lines 20 and 21, insert:
s. 1003.4156, F.S.; revising requirements for the course in career and education planning required for middle grades promotion; deleting a required parent meeting; amending

Rep. Stargel moved the adoption of the amendment, which was adopted.

Representative Stargel offered the following:

(Amendment Bar Code: 217157)

Amendment 2—Remove line 480 and insert:
planning under s. 1003.4156(1)(a)5. exploration, middle and high school career and professional

Rep. Stargel moved the adoption of the amendment, which was adopted.

Representative Stargel offered the following:

(Amendment Bar Code: 688615)

Amendment 3 (with title amendment)—Between lines 821 and 822, insert:

(4) The State Board of Education shall adopt rules to identify industry certifications in science, technology, engineering, and mathematics offered in middle school to be included on the Industry Certified Funding List and which are eligible for additional full-time equivalent membership under s. 1011.62(1).

TITLE AMENDMENT

Between lines 49 and 50, insert:
requiring the State Board of Education to adopt rules;

Rep. Stargel moved the adoption of the amendment, which was adopted.

Representative Bullard offered the following:

(Amendment Bar Code: 242755)

Amendment 4 (with title amendment)—Remove lines 1697-1797

TITLE AMENDMENT

Remove lines 96-102 and insert:
amending s. 1011.62, F.S.;

Rep. Bullard moved the adoption of the amendment, which failed of adoption.

Representative Stargel offered the following:

(Amendment Bar Code: 986607)

Amendment 5—Remove lines 1767-1772 and insert:

based on the number of instructional hours as provided in subsection (1) for the first 3 years of administering the end-of-course assessment. Beginning in the fourth year of administering the end-of-course assessment, the FTE shall be credit-based and each course shall be equal to 1/6 FTE. The reported FTE shall be adjusted after the student successfully completes the end-of-course assessment pursuant to

Rep. Stargel moved the adoption of the amendment, which was adopted.

Representative Stargel offered the following:

(Amendment Bar Code: 021877)

Amendment 6—Remove lines 1813-1854 and insert:

(o) Calculation of additional full-time equivalent membership based on certification of successful completion of a ~~career-themed course or industry-certified career and professional academy program programs~~ pursuant to ss. 1003.491, 1003.492, 1003.493, and 1003.4935 and issuance of the highest level of industry certification identified in the Industry Certified Funding List pursuant to rules adopted by the State Board of Education.—

1. A value of 0.1, 0.2, or 0.3 full-time equivalent student membership shall be calculated for each student who completes a career-themed course as defined in s. 1003.493(1)(b) or a an industry-certified career and professional academy program under ss. 1003.491, 1003.492, 1003.493, and 1003.4935 and who is issued the highest level of industry certification identified annually in the Industry Certification Funding List approved under rules adopted by the State Board of Education upon promotion to the 9th grade under subparagraph 2. or upon earning and a high school diploma. The maximum full-time equivalent student membership value for any student is 0.3. The Department of Education shall assign the appropriate full-time equivalent value for each certification, 50 percent of which is based on rigor and the remaining 50 percent on employment value. The State Board of Education shall include the assigned values in the Industry Certification Funding List under rules adopted by the state board. Rigor shall be based on the number of instructional hours, including work experience hours, required to earn the certification, with a bonus for industry certifications that have a statewide articulation agreement for college credit approved by the State Board of Education. Employment value shall be based on the entry wage, growth rate in employment for each occupational category, and average annual openings for the primary occupation linked to the industry certification. Such value shall be added to the total full-time equivalent student membership in secondary career education programs for grades 9 through 12 in the subsequent year for courses that were not funded through dual enrollment.

2. Upon promotion to the 9th grade, a value of 0.1 full-time equivalent student membership shall be calculated for each student who completes a career-themed course or a career and professional academy program under s. 1003.4935 and who is issued the highest level of industry certification in science, technology, engineering, or mathematics identified on the Industry Certification Funding List under rules adopted by the State Board of Education.

3. The additional full-time equivalent membership authorized under this paragraph may not exceed 0.3 per student. Each district must allocate at least 80 percent of the funds provided for industry certification, in accordance with this paragraph, to the program that generated the funds. Unless a different amount is specified in the General Appropriations Act, the appropriation for this calculation is limited to \$15 million annually. If the appropriation is insufficient to fully fund the total calculation, the appropriation shall be prorated.

Rep. Stargel moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

HB 7127—A bill to be entitled An act relating to school improvement and education accountability; amending s. 1001.42, F.S.; requiring a school improvement plan to include strategies for improving student achievement under certain circumstances; revising provisions relating to eligibility for an opportunity scholarship; amending s. 1002.33, F.S.; revising provisions requiring a charter school to implement a school improvement plan to raise student achievement; revising corrective actions to be selected and implemented by a charter school; providing requirements for implementation of corrective actions and intervention and support strategies identified in a school improvement plan; providing for termination of a charter school not making continuous improvement unless it meets specified criteria; amending s. 1002.332, F.S.; conforming provisions; amending s. 1002.38, F.S.; revising provisions relating to eligibility for an opportunity scholarship; amending s. 1008.22, F.S.; revising provisions relating to the statewide student assessment program; providing that certain end-of-course assessments replace corresponding FCAT assessments; amending s. 1008.33, F.S.; revising provisions relating to the State Board of Education's authority to enforce public school improvement; requiring the state board to comply with the federal flexibility waiver approved by the United States Secretary of Education; requiring the Department of Education to annually identify each school in need of intervention and support to improve student academic performance, basing the need for intervention and support on school grades; providing requirements for state board rules for intervention and support strategies for school improvement; deleting department duties relating to the categorization of low-performing schools; providing state board, school district, and school requirements for implementing strategies and turnaround options to improve school performance; revising turnaround options available to a school district and requiring state board approval of the option selected for implementation; providing certain exceptions; requiring the state board to adopt rules relating to plans for implementing turnaround options; amending s. 1008.34, F.S.; revising provisions relating to the school grading system; revising the contents of the annual report of the results of the statewide assessment program; revising certain criteria upon which school grades are based; revising the basis for calculating a school district's grade; amending ss. 1008.345, 1012.07, 1012.22, and 1012.2315, F.S.; conforming provisions; providing an effective date.

—was read the second time by title.

Representative Fresen offered the following:

(Amendment Bar Code: 127245)

Amendment 1—Remove lines 83-86 and insert:
rate, that school's improvement plan shall include strategies, including tutoring or other supplemental academic enrichment services, for improving these results. For a Title I school, the plan shall include supplemental educational services offered by multiple providers approved under and in compliance

with s. 1008.331. The state board shall adopt rules establishing thresholds and for determining compliance with this paragraph.

Rep. Fresen moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

HB 7111—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 717.117, F.S., which provides an exemption from public record requirements for social security numbers and property identifiers contained in reports of unclaimed property; removing the exception to the public record exemption for social security numbers; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 763—A bill to be entitled An act relating to motor vehicle registration; amending s. 320.07, F.S.; specifying that a vehicle may not be operated after expiration of the renewal period or, for a natural person, after midnight on the owner's birthday unless the registration was renewed before then; amending s. 320.15, F.S.; authorizing a person who has renewed a vehicle registration during an early registration period to apply for a refund of specified license taxes upon surrendering the registration license plate before the end of the renewal period; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/CS/HB 1399—A bill to be entitled An act relating to transportation; amending s. 20.23, F.S., relating to the Department of Transportation; authorizing district secretaries and executive directors to be a professional engineer from any state; removing obsolete language relating to authority of district secretaries to appoint district directors; amending s. 206.41, F.S., relating to payment of a tax on fuel under specified provisions; providing that a restriction on the use of agricultural equipment to qualify for a refund of the tax does not apply to citrus harvesting equipment or citrus fruit loaders; revising the title of ch. 311, F.S.; amending s. 311.07, F.S.; revising provisions for the financing of port transportation or port facilities projects; increasing funding for the Florida Seaport Transportation and Economic Development Program; directing the Florida Seaport Transportation and Economic Development Council to develop guidelines for project funding; directing council staff, the Department of Transportation, and the Department of Economic Opportunity to work in cooperation to review projects and allocate funds as specified; revising certain authorized uses of program funds; revising the list of projects eligible for funding under the program; removing a cap on distribution of program funds; removing a requirement for a specified audit; authorizing the Department of Transportation to subject projects funded under the program to a specified audit; amending s. 311.09, F.S.; revising provisions for rules of the council for evaluating certain projects; removing provisions for review by the Department of Community Affairs of the list of projects approved by the council; revising provisions for review and evaluation of such projects by the Department of Transportation and the Department of Economic Opportunity; increasing the amount of funding the Department of Transportation is required to include in its annual legislative budget request for the Florida Seaport Transportation and Economic Development Program; revising provisions relating to funding to be included in the budget; creating s. 311.10, F.S.; establishing the Strategic Port Investment Initiative within the Department of Transportation; providing for a minimum annual amount from the State Transportation Trust Fund to fund the initiative; directing the department to work with deepwater ports to develop and maintain a priority list of strategic investment projects; providing project selection criteria; requiring the department to schedule a publicly noticed workshop with the Department of Economic Opportunity and the deepwater ports to review the proposed projects; directing the department to finalize a prioritized list of potential projects after considering comments received in the workshop; directing the department to include the

proposed seaport projects in the tentative work program; creating s. 311.101, F.S.; creating the Intermodal Logistics Center Infrastructure Support Program within the Department of Transportation; providing purpose of the program; defining the term "intermodal logistics center"; providing criteria for consideration by the department when evaluating projects for program assistance; directing the department to coordinate and consult with the Department of Economic Opportunity in the selection of projects to be funded; authorizing the department to administer contracts on behalf of the entity selected to receive funding; providing for the department's share of project costs; providing for a certain amount of funds in the State Transportation Trust Fund to be made available for eligible projects; directing the department to include the proposed projects in the tentative work program; authorizing the department to adopt rules; creating s. 311.106, F.S., relating to seaport stormwater permitting and mitigation; authorizing a seaport to provide for onsite and offsite stormwater treatment to mitigate the impact of port activities; requiring offsite treatment to be within the same drainage basin and constructed and maintained by the seaport or in conjunction with a local government; authorizing the port to provide a regional treatment facility constructed and maintained by the seaport or in conjunction with a local government; amending s. 311.14, F.S., relating to seaport planning; directing the department to develop, in coordination with certain partners, a Statewide Seaport and Waterways System Plan consistent with the goals of the Florida Transportation Plan; providing requirements for the plan; removing provisions for the Florida Seaport Transportation and Economic Development Council to develop freight-mobility and trade-corridor plans; removing provisions that require the Office of the State Public Transportation Administrator to integrate the Florida Transportation Plan with certain other plans and programs; removing provisions relating to the construction of seaport freight-mobility projects; amending s. 316.003, F.S.; revising the definition of the term "motor vehicle" for purposes of the payment and collection of tolls on toll facilities under specified provisions; amending s. 316.091, F.S.; permitting the use of shoulders for vehicular traffic under certain circumstances; requiring notice of where vehicular traffic is allowed; providing what may not be deemed as authorization; requiring the department to establish a pilot program to open certain limited access highways and bridges to bicycles and other human-powered vehicles; providing requirements for the pilot program; providing a timeframe for implementation of the program; authorizing the department to continue or expand the program; requiring the department to report findings and recommendations to the Governor and Legislature by a certain date; amending s. 316.1001, F.S.; revising requirements for mailing of citations for failure to pay a toll; authorizing mailing by certified mail in addition to first class mail; providing that mailing of the citation to the address of the registered motor vehicle owner constitutes notification; removing a requirement for a return receipt; amending s. 316.2068, F.S.; authorizing a county or municipality to regulate the operation of electric personal assistive mobility devices on any road, street, sidewalk, or bicycle path under its jurisdiction if the governing body of the county or municipality determines that such regulation is necessary in the interest of safety; amending s. 316.515, F.S.; revising provisions for the maximum allowed length of straight truck-trailer combinations; revising provisions for operation of implements of husbandry and farm equipment on state roads; authorizing the operation of citrus harvesting equipment and citrus fruit loaders for certain purposes; conforming a cross-reference; amending s. 320.01, F.S.; revising the definition of the term "low-speed vehicle" to include vehicles that are not electric powered; amending s. 332.08, F.S.; authorizing a municipality participating in a federal airport privatization pilot program to sell an airport or other air navigation facility or certain real property, improvements, and equipment; requiring department approval of the agreement under certain circumstances; providing criteria for department approval; amending s. 334.03, F.S.; removing the definition of the term "Florida Intrastate Highway System" and revising the definitions of the terms "functional classification" and "State Highway System" for purposes of the Florida Transportation Code; amending s. 334.044, F.S.; revising the powers and duties of the department relating to jurisdictional responsibility, designating facilities, and highway landscaping; adding the duty to develop a Freight Mobility and Trade Plan; requiring the plan to be submitted to the Governor and Legislature;

requiring freight issues to be emphasized in transportation plans; amending s. 334.047, F.S.; removing a provision that prohibits the department from establishing a maximum number of miles of urban principal arterial roads; amending s. 335.074, F.S., relating to bridge safety inspection reports; requiring the governmental entity having maintenance responsibility for a bridge to reduce the maximum weight, size, or speed limit for the bridge or to close the bridge upon receipt of a report recommending the reduction or closure; requiring the entity to post the reduced limits and notify the department; requiring the department to post the reduced limits or to close the bridge under certain circumstances; requiring costs associated with the department posting the revised limits or closure of the bridge to be assessed against and collected from the governmental entity; amending s. 335.17, F.S.; revising provisions relating to highway construction noise abatement; amending s. 336.021, F.S.; revising the date when imposition of the ninth-cent fuel tax will be levied; amending s. 336.025, F.S.; revising the date when impositions and rate changes of the local option fuel tax shall be levied; revising the definition of the term "transportation expenditures" for purposes of specified provisions that restrict the use of local option fuel tax funds by counties and municipalities; amending s. 337.11, F.S.; requiring the department to advertise certain construction contracts for bids on the department's Internet website; removing provisions for such advertisement to be published in a newspaper; amending s. 337.111, F.S.; providing additional forms of security for the cost of removal of monuments or memorials or modifications to an installation site at highway rest areas; removing a provision requiring renewal of a bond; amending s. 337.125, F.S.; revising provisions relating to a prime contractor's submission of a disadvantaged business enterprise utilization form; repealing s. 337.137, F.S., relating to subcontracting by socially and economically disadvantaged business enterprises; amending s. 337.139, F.S.; providing an updated reference to federal law as it relates to socially and economically disadvantaged business enterprises; amending s. 337.14, F.S.; revising provisions for applications for qualification to bid on department contracts; amending s. 337.29, F.S.; authorizing transfers of right-of-way between local governments by deed; amending ss. 337.403 and 337.404, F.S.; revising provisions for alleviation of interference with a public road or publicly owned rail corridor caused by a utility facility; amending s. 337.408, F.S.; revising provisions for certain facilities installed within the right-of-way limits of roads on the State Highway System; requiring counties and municipalities that have authorized a bench or transit shelter to be responsible for determining if the facility is compliant with applicable laws and rules or remove the bench or transit shelter; limiting liability of the department; requiring a municipality or county that authorizes a bench or transit shelter to be installed to require the supplier or installer to indemnify the department and annually certify that the requirement has been met; requiring the removal of such facilities under certain circumstances; authorizing the department to direct a county or municipality to remove or relocate a bus stop, bench, transit shelter, waste disposal receptacle, public pay telephone, or modular news rack that is not in compliance with applicable laws or rules; removing a provision for the replacement of an unusable transit bus bench that was in service before a certain date; prohibiting installation of a bus stop that conflicts with certain laws and regulations resulting in a loss of federal funds; authorizing the appropriate local government entity to regulate or deny competition to provide a bus stop; revising the title of ch. 338, F.S.; repealing s. 338.001, F.S., relating to provisions for the Florida Intrastate Highway System Plan; amending s. 338.01, F.S.; clarifying provisions governing the designation and function of limited access facilities; authorizing the department or other governmental entities collecting tolls to pursue collection of unpaid tolls by contracting with a private attorney or collection agency; authorizing a collection fee; providing an exception to statutory requirements related to private attorney services; creating s. 338.151, F.S.; authorizing the department to establish tolls on certain transportation facilities to pay for the cost of such project; prohibiting the department from establishing tolls on certain lanes of limited access facilities; providing an exception; providing for application; amending s. 338.155, F.S.; authorizing the department adopt rules to allow public transit vehicles and certain military-service-related funeral processions to use certain toll facilities without payment of tolls; amending s. 338.161, F.S.; authorizing the department to enter into

agreements for the use of its electronic toll collection and video billing system; authorizing modification of its rules regarding toll collection and an administrative charge; providing for construction; amending s. 338.166, F.S.; revising a provision for issuance of bonds secured by toll revenues collected on high-occupancy toll lanes or express lanes; revising authorized uses of such toll revenues; providing restrictions on such use; amending s. 338.221, F.S.; revising the definition of the term "economically feasible" for purposes of proposed turnpike projects; amending s. 338.223, F.S.; revising provisions for department requests for legislative approval of proposed turnpike projects; conforming a cross-reference; amending s. 338.227, F.S.; conforming provisions to changes made by the act; directing the department and the Department of Management Services to create and implement a program designed to enhance participation of minority businesses in certain contracts related to the Strategic Intermodal System Plan; amending ss. 338.2275 and 338.228, F.S., relating to turnpike projects; revising cross-references; amending s. 338.231, F.S.; providing that inactive prepaid toll accounts are unclaimed property; providing for disposition by the Department of Financial Services and closing of the account; amending s. 338.234, F.S.; revising provisions that exempt certain lessees from payment of commercial rental tax; replacing a reference to the Florida Intrastate Highway System with a reference to the Strategic Intermodal System; amending s. 339.0805, F.S.; revising requirements for expenditure of certain funds with small business concerns owned and controlled by socially and economically disadvantaged individuals; revising a definition of the term "small business concern"; removing provisions for a periodic disparity study; deleting obsolete language; revising provisions for certification as a socially and economically disadvantaged business enterprise; revising requirements that a disadvantaged business enterprise notify the department of certain changes in ownership; revising criteria for such a business enterprise to participate in a construction management development program; revising references to federal law; amending s. 339.135, F.S.; revising provisions for developing the department's tentative work program; revising provisions for a list of project priorities submitted by a metropolitan planning organization; revising criteria for proposed amendment to the department's adopted work program which deletes, advances, or defers a project or project phase; revising threshold amounts; directing the department to index the budget amendment threshold amounts to the rate of inflation; prohibiting such adjustments more frequently than once a year; subjecting such adjustments to specified notice and review procedures; amending s. 339.155, F.S.; revising provisions for the Florida Transportation Plan; requiring the planning process to conform to specified federal provisions; removing provisions for a long-range component, short-range component, and a report; amending s. 339.175, F.S.; providing that to the extent possible only one metropolitan planning organization be designated in a urbanized area; providing that representatives of the department shall serve as nonvoting advisers to a metropolitan planning organization; authorizing the appointment of additional nonvoting advisers; requiring M.P.O.'s to coordinate in the development of regionally significant project priorities; amending s. 339.2819, F.S.; revising the state matching funds requirement for the Transportation Regional Incentive Program; conforming cross-references; requiring funded projects to be in the department's work program; requiring a project to meet the program's requirements prior to being funded; amending s. 339.62, F.S.; removing the Florida Intrastate Highway System from and adding highway corridors to the list of components of the Strategic Intermodal System; providing for other corridors to be included in the system; amending s. 339.63, F.S.; adding military access facilities to the types of facilities included in the Strategic Intermodal System and the Emerging Strategic Intermodal System which form components of an interconnected transportation system; providing that an intermodal logistics center meeting certain criteria shall be designated as part of the Strategic Intermodal System; providing for a waiver of transportation concurrency for such facility if it is located within a described area; amending s. 339.64, F.S.; deleting provisions creating the Statewide Intermodal Transportation Advisory Council; creating s. 339.65, F.S.; requiring the department to plan and develop for Strategic Intermodal System highway corridors to aid traffic movement around the state; providing for components of the corridors; requiring the department to follow specified policy guidelines when

developing the corridors; directing the department to establish standards and criteria for functional design; providing for appropriations; requiring such highway corridor projects to be a part of the department's adopted work program; amending s. 341.301, F.S.; revising the definition of "limited coverage accident"; amending s. 341.302, F.S.; providing parameters within which the department may by contract indemnify against loss by National Railroad Passenger Corporation; authorizing the department to purchase liability insurance including coverage for the department, National Railroad Passenger Corporation, commuter rail service providers, governmental entities, or any ancillary development and establish a self-insurance retention fund; limiting the amount of the insurance and self-insurance retention fund; providing that the insureds must make payments for the coverage; providing that the insurance may provide coverage for all damages and be maintained to provide a fund to cover liabilities arising from rail corridor ownership and operations; amending 341.840, F.S.; relating to the Florida Rail Enterprise Act; revising obsolete references to the Florida High-Speed Rail Authority; providing that certain transactions made by or on behalf of the enterprise are exempt from specified taxes; providing for certain contractors to act as agents on behalf of the enterprise for purposes of the tax exemption; authorizing the department to adopt rules; amending s. 343.52, F.S.; revising the definition of the term "area served" for purposes of provisions for the South Florida Regional Transportation Authority; revising a provision for expansion of the area; amending s. 343.53, F.S.; revising membership of and criteria for appointment to the board of the South Florida Regional Transportation Authority; amending s. 343.54, F.S.; revising a provision authorizing the authority to expand its service area; creating s. 347.215, F.S.; providing for the operation of ferries by joint agreement between public and private entities; amending s. 348.0003, F.S.; revising financial disclosure requirements for certain transportation authorities; creating s. 348.7645, F.S.; requiring the Orlando-Orange County Expressway Authority to erect a sign under certain circumstances; providing for payment for the cost of the sign; amending s. 349.03, F.S.; providing for financial disclosure requirements for the Jacksonville Transportation Authority; amending s. 349.04, F.S.; providing that the Jacksonville Transportation Authority may conduct meetings and workshops using communications media technology; providing that certain actions may not be taken unless a quorum is present in person; providing that members must be physically present to vote on any item; amending s. 373.118, F.S.; requiring that the Department of Environmental Protection initiate rulemaking to adopt a general permit for stormwater management systems serving airside activities at airports; providing for statewide application of the general permit; providing for any water management district or delegated local government to administer the general permit; providing that the rules are not subject to any special rulemaking requirements relating to small business; amending s. 373.413, F.S.; providing legislative intent regarding flexibility in the permitting of stormwater management systems; requiring the cost of stormwater treatment for a transportation project to be balanced with benefits to the public; requiring that alternatives to onsite treatment be allowed; specifying responsibilities of the department relating to abatement of pollutants and permits for adjacent lands impacted by right-of-way acquisition; authorizing water management districts and the Department of Environmental Protection to adopt rules; amending s. 373.4136, F.S.; providing that specified seaports are eligible to use mitigation banks; amending s. 373.4137, F.S., relating to the mitigation of environmental impact of transportation projects proposed by the department or a transportation authority; revising legislative intent; revising provisions for development of environmental impact inventories; providing for the release of escrowed mitigation funds under certain circumstances; specifying continuing responsibility for mitigation projects; revising provisions for exclusion of projects from a mitigation plan; repealing s. 479.28, F.S., relating to the rest area information panel or device program; authorizing the department to seek Federal Highway Administration approval of a tourist-oriented commerce sign pilot program; directing the department to submit the approved pilot program for legislative approval; establishing a pilot program for the Palm Beach County school district to recognize its business partners; providing for expiration of the program; providing for a type two transfer of relevant administrative rules relating to the redesignation of the Pilotage Rate Review Board as the Pilotage Rate Review Committee within

the Board of Pilot Commissioners and the transfer of matters pending before the board at the time of the redesignation and the Governor's appointment of the board pursuant to ss. 5 and 6, ch. 2010-225, Laws of Florida; requiring the Florida Transportation Commission to study the potential costs savings of the department being the operating agent for certain expressway authorities; providing for certain related expenses to be paid by the department; requiring a report to the Governor and Legislature; providing that a challenge to a consolidated environmental resource permit or associated variance or any sovereign submerged lands authorization proposed or issued by the Department of Environmental Protection in connection with specified deepwater ports is subject to specified summary hearing provisions; requiring such proceedings to be conducted within a certain timeframe; providing that the administrative law judge's decision is a recommended order and does not constitute final agency action of the Department of Environmental Protection; requiring the Department of Environmental Protection to issue the final order within a certain timeframe; providing applicability of specified provisions; requiring the Pinellas Suncoast Transit Authority and the Hillsborough Area Regional Transit Authority to perform a study looking at possible efficiencies and improvements; providing requirements for such study; requiring the Tampa Bay Area Regional Transportation Authority to assist and facilitate such study; exempting communications equipment intended for railroad use in a designated federal railroad right-of-way from the Florida Building Code and any county or municipal code or fee; providing that such equipment is subject to review for compliance with applicable railroad regulations; authorizing private communications equipment not intended for railroad use to collocate upon an existing tower intended for railroad use within a designated federal railroad right-of-way; requiring such collocated equipment to comply with the Florida Building Code; allowing collocation of communications equipment; authorizing collocation for public safety communications; prohibiting certain fees; amending ss. 215.616, 288.063, 311.22, 316.2122, 318.12, 320.20, 335.02, 338.222, 339.285, 341.053, 341.8225, 403.7211, 479.01, 479.07, and 479.261, F.S., relating to bonds for federal aid highway construction, contracts for transportation projects, dredging projects, operation of low-speed vehicles or mini-trucks, traffic infractions, license tax distribution, standards for lanes, turnpike projects, the Enhanced Bridge Program for Sustainable Transportation, the Intermodal Development Program, high-speed rail projects, hazardous waste facilities, outdoor advertising, and the logo sign program, respectively; deleting obsolete language; revising references to conform to the incorporation of the Florida Intrastate Highway System into the Strategic Intermodal System and to changes made by the act; providing effective dates.

—was read the second time by title.

Representative Ray offered the following:

(Amendment Bar Code: 146769)

Amendment 1 (with title amendment)—Remove line 1411 and insert: the House of Representatives by July 1, 2013.

(a) The Freight Mobility and Trade Plan shall include, but need not be limited to, proposed policies and investments that promote the following:

1. Increasing the flow of domestic and international trade through the state's seaports and airports, including specific policies and investments that will recapture cargo currently shipped through seaports and airports located outside the state.

2. Increasing the development of intermodal logistic centers in the state, including specific strategies, policies, and investments that capitalize on the empty backhaul trucking and rail market in the state.

3. Increasing the development of manufacturing industries in the state, including specific policies and investments in transportation facilities that will promote the successful development and expansion of manufacturing facilities.

4. Increasing the implementation of compressed natural gas (CNG), liquefied natural gas (LNG), and propane energy policies that reduce transportation costs for businesses and residents located in the state.

(b) Freight issues and

TITLE AMENDMENT

Remove line 153 and insert:

Mobility and Trade Plan; requiring the plan to include certain proposed policies and investments; requiring the plan to be

Rep. Ray moved the adoption of the amendment.

THE SPEAKER IN THE CHAIR

The question recurred on the adoption of **Amendment 1**, which was adopted.

Representative Brandes offered the following:

(Amendment Bar Code: 896645)

Amendment 2—Remove lines 1765-1826 and insert:

shall be completed within such reasonable time as stated in the notice or such time as agreed to by the authority and the utility owner.

(a) If the relocation of utility facilities, as referred to in s. 111 of the Federal-Aid Highway Act of 1956, Pub. L. No. 627 of the 84th Congress, is necessitated by the construction of a project on the federal-aid interstate system, including extensions thereof within urban areas, and the cost of the project is eligible and approved for reimbursement by the Federal Government to the extent of 90 percent or more under the Federal Aid Highway Act, or any amendment thereof, then in that event the utility owning or operating such facilities shall perform any necessary work ~~relocate the facilities~~ upon notice from ~~order of~~ the department, and the state shall pay the entire expense properly attributable to such work relocation after deducting therefrom any increase in the value of any ~~the~~ new facility and any salvage value derived from any ~~the~~ old facility.

(b) When a joint agreement between the department and the utility is executed for utility ~~improvement, relocation, or removal~~ work to be accomplished as part of a contract for construction of a transportation facility, the department may participate in those utility work ~~improvement, relocation, or removal~~ costs that exceed the department's official estimate of the cost of the work by more than 10 percent. The amount of such participation shall be limited to the difference between the official estimate of all the work in the joint agreement plus 10 percent and the amount awarded for this work in the construction contract for such work. The department may not participate in any utility work ~~improvement, relocation, or removal~~ costs that occur as a result of changes or additions during the course of the contract.

(c) When an agreement between the department and utility is executed for utility ~~improvement, relocation, or removal~~ work to be accomplished in advance of a contract for construction of a transportation facility, the department may participate in the cost of clearing and grubbing necessary to perform such work.

(d) If the utility facility involved ~~being removed or relocated~~ was initially installed to exclusively serve the department, its tenants, or both, the department shall bear the costs of the utility work ~~removing or relocating that utility facility~~. However, the department is not responsible for bearing the cost of utility work related to ~~removing or relocating~~ any subsequent additions to that facility for the purpose of serving others.

(e) If, under an agreement between a utility and the authority entered into after July 1, 2009, the utility conveys, subordinates, or relinquishes a compensable property right to the authority for the purpose of accommodating the acquisition or use of the right-of-way by the authority, without the agreement expressly addressing future responsibility for the cost of necessary utility work ~~removing or relocating the utility~~, the authority shall bear the cost ~~of removal or relocation~~. This paragraph does not impair or restrict, and may not be used to interpret, the terms of any such agreement entered into before July 1, 2009.

(f) If the utility is an electric facility being relocated underground in order to enhance vehicular, bicycle, and pedestrian safety and in which ownership of the electric facility to be placed underground has been transferred from a

private to a public utility within the past 5 years, the department shall incur all costs of the necessary utility work relocation.

(g) An authority is authorized to bear the costs of utility work required to eliminate an unreasonable interference when the utility is not able to establish that it has a compensable property right in the particular property where the utility is located if:

1. The utility was physically located on the particular property before the authority acquired rights in the property;

2. The utility demonstrates that it has a compensable property right in all adjacent properties along the alignment of the utility; and

3. The information available to the authority does not establish the relative priorities of the authority's and the utility's interests in the particular property.

Rep. Brandes moved the adoption of the amendment, which was adopted.

Representative Horner offered the following:

(Amendment Bar Code: 811083)

Amendment 3 (with title amendment)—Remove lines 3520-3611 and insert:

Section 60. Subsection (3) of section 343.52, Florida Statutes, is amended to read:

343.52 Definitions.—As used in this part, the term:

(3) "Area served" means Miami-Dade, Broward, and Palm Beach Counties. However, this area may be expanded by mutual consent of the authority and the board of county commissioners of Monroe County representing the proposed expansion area. The authority may not expand into any additional counties without the department's prior written approval.

Section 61. Section 343.53, Florida Statutes, is amended to read:

343.53 South Florida Regional Transportation Authority.—

(1) There is created and established a body politic and corporate, an agency of the state, to be known as the "South Florida Regional Transportation Authority," hereinafter referred to as the "authority."

(2) The governing board of the authority shall consist of 10 ~~nine~~ voting members, as follows:

(a) The county commissions of Miami-Dade, Broward, and Palm Beach Counties shall each elect a commissioner as that commission's representative on the board. The commissioner must be a member of the county commission when elected and for the full extent of his or her term.

(b) The county commissions of Miami-Dade, Broward, and Palm Beach Counties shall each appoint a citizen member to the board who is not a member of the county commission but who is a resident of the county from which he or she is appointed and a qualified elector of that county. Insofar as practicable, the citizen member shall represent the business and civic interests of the community.

(c) The secretary of the Department of Transportation shall appoint one of the district secretaries, or his or her designee, for the districts within which the area served by the South Florida Regional Transportation Authority is located, who shall serve ex officio as a voting member.

(d) If the authority's service area is expanded pursuant to s. 343.54(5), the county containing the new service area shall have two ~~three~~ members appointed to the board as follows:

1. The county commission of the county shall elect a commissioner as that commission's representative on the board. The commissioner must be a member of the county commission when elected and for the full extent of his or her term.

~~2. The county commission of the county shall appoint a citizen member to the board who is not a member of the county commission but who is a resident and a qualified elector of that county. Insofar as is practicable, the citizen member shall represent the business and civic interests of the community.~~

~~2.3.~~ The Governor shall appoint a citizen member to the board who is not a member of the county commission but who is a resident and a qualified elector of that county.

(e) The Governor shall appoint three ~~two~~ members to the board who are residents and qualified electors in the area served by the authority but who are

not residents of the same county ~~and also not residents of the county in which the district secretary who was appointed pursuant to paragraph (c) is a resident.~~

(3) ~~(a)~~ Members of the governing board of the authority shall be appointed to serve 4-year staggered terms, except that the terms of the appointees of the Governor shall be concurrent.

~~(b) The terms of the board members currently serving on the authority that is being succeeded by this act shall expire July 30, 2003, at which time the terms of the members appointed pursuant to subsection (2) shall commence. The Governor shall make his or her appointments to the board within 30 days after July 30, 2003.~~

(4) A vacancy during a term shall be filled by the respective appointing authority in the same manner as the original appointment and only for the balance of the unexpired term.

(5) The members of the authority shall serve without compensation, but are entitled to reimbursement for travel expenses actually incurred in their duties as provided by law.

Section 62. Paragraph (q) is added to subsection (3) of section 343.54, Florida Statutes, and subsection (5) of that section is amended, to read:

343.54 Powers and duties.—

(3) The authority may exercise all powers necessary, appurtenant, convenient, or incidental to the carrying out of the aforesaid purposes, including, but not limited to, the following rights and powers:

(q) To privatize any of the administrative functions of the authority existing as of July 1, 2012, by contracting with a private entity or entities to perform any or all of those functions, which shall require a two-thirds vote of the entire membership of the board.

(5) The authority, by a resolution of its governing board, may expand its service area into Monroe County and enter into a partnership with any county that is contiguous to the service area of the authority. The board shall determine the conditions and terms of the partnership, except as provided herein. However, the authority may not expand its service area without the consent of the board of county commissioners representing the proposed expansion area, and a county may not be added to the service area except in the year that federal reauthorization legislation for transportation funds is enacted. The authority shall not expand into any county other than Monroe County without the department's prior written approval.

Section 63. Section 343.56, Florida Statutes, is amended to read:

343.56 Bonds not debts or pledges of credit of state.—Revenue bonds issued under the provisions of this part are not debts of the state or pledges of the faith and credit of the state. Such bonds are payable exclusively from revenues pledged for their payment. All such bonds shall contain a statement on their face that the state is not obligated to pay the same or the interest thereon, except from the revenues pledged for their payment, and that the faith and credit of the state is not pledged to the payment of the principal or interest of such bonds. The issuance of revenue bonds under the provisions of this part does not directly, indirectly, or contingently obligate the state to levy or to pledge any form of taxation whatsoever, or to make any appropriation for their payment. No state funds shall be used or pledged to pay the principal or interest of any bonds issued to finance or refinance any portion of the South Florida Regional Transportation Authority transit system, and all such bonds shall contain a statement on their face to this effect. ~~However, federal funds being passed through the department to the South Florida Regional Transportation Authority and those state matching funds required by the United States Department of Transportation as a condition of federal funding may be used to pay principal and interest of any bonds issued.~~

Section 64. Section 343.57, Florida Statutes, is amended to read:

343.57 Pledge to bondholders not to restrict certain rights of authority.—The state pledges to and agrees with the holders of the bonds issued pursuant to this part that the state will not limit or restrict the rights vested in the authority to construct, reconstruct, maintain, and operate any project as defined in this part, to establish and collect such fees or other charges as may be convenient or necessary to produce sufficient revenues to meet the expenses of maintenance and operation of the system, and to fulfill the terms of any agreements made with the holders of bonds authorized by this part. The state further pledges that it will not in any way impair the rights or remedies of the holders of such bonds until the bonds, together with interest thereon, are fully paid and discharged. Nothing in this section or in any

agreement between the authority and the Department of Transportation shall be construed to require the Legislature to make or continue any appropriation of state funds to the authority, including, but not limited to, the amounts specified in s. 343.58(4), nor shall any holder of bonds have any right to require the Legislature to make or continue any appropriation of state funds.

Section 65. Subsection (4) of section 343.58, Florida Statutes, is amended, and subsection (6) is added to that section, to read:

343.58 County funding for the South Florida Regional Transportation Authority.—

(4) Notwithstanding any other provision of law to the contrary and effective July 1, 2010, until as provided in paragraph (d), the department shall transfer annually from the State Transportation Trust Fund to the South Florida Regional Transportation Authority the amounts specified in subparagraph (a)1. or subparagraph (a)2.

(a)1. If the authority becomes responsible for maintaining and dispatching the South Florida Rail Corridor:

a. \$15 million from the State Transportation Trust Fund to the South Florida Regional Transportation Authority for operations, maintenance, and dispatch; and

b. An amount no less than the work program commitments equal to \$27.1 million for fiscal year 2010-2011, as of July 1, 2009, for operating assistance to the authority and corridor track maintenance and contract maintenance for the South Florida Rail Corridor.

2. If the authority does not become responsible for maintaining and dispatching the South Florida Rail Corridor:

a. \$13.3 million from the State Transportation Trust Fund to the South Florida Regional Transportation Authority for operations; and

b. An amount no less than the work program commitments equal to \$17.3 million for fiscal year 2010-2011, as of July 1, 2009, for operating assistance to the authority.

(b) Funding required by this subsection may not be provided from the funds dedicated to the Florida Rail Enterprise under s. 201.15(1)(c)1.d.

(c)1. Funds provided to the authority by the department under this subsection may not be committed by the authority without the approval of the department, which may not be unreasonably withheld. At least 90 days before advertising any procurement or renewing any existing contract that will rely on state funds for payment, the authority shall notify the department of the proposed procurement or renewal and the proposed terms thereof. If the department, within 60 days after receipt of notice, objects in writing to the proposed procurement or renewal, specifying its reasons for objection, the authority may not proceed with the proposed procurement or renewal. Failure of the department to object in writing within 60 days after notice shall be deemed consent. This requirement does not impair or cause the authority to cancel contracts that exist as of June 30, 2012.

2. To enable the department to evaluate the authority's proposed uses of state funds, the authority shall annually provide the department with its proposed budget for the following authority fiscal year and shall provide the department with any additional documentation or information required by the department for its evaluation of the proposed uses of the state funds.

(d) Funding required by this subsection shall cease upon commencement of an alternate dedicated local funding source sufficient for the authority to meet its responsibilities for operating, maintaining, and dispatching the South Florida Rail Corridor. The authority and the department shall cooperate in the effort to identify and implement such an alternate dedicated local funding source before July 1, 2019. Upon commencement of the alternate dedicated local funding source, the department shall convey to the authority a perpetual commuter rail easement in the South Florida Rail Corridor and all of the department's right, title, and interest in rolling stock, equipment, tracks, and other personal property owned and used by the department for the operation and maintenance of the commuter rail operations in the South Florida Rail Corridor.

(6) Before the authority undertakes any new capital projects or transit system improvements not approved by the authority board, and not identified in the authority's 5-year capital program, on or before July 1, 2012, the authority shall ensure that the funding available to the authority under this section, together with any revenues available to the authority, are currently, and are anticipated to continue to be, sufficient for the authority to meet its

obligations under any agreement through which federal funds have been or are anticipated to be received by the authority.

TITLE AMENDMENT

Remove lines 385-387 and insert:

Transportation Authority; amending s. 343.54, F.S.; requiring a two-thirds vote of such board to privatize certain functions; revising a provision authorizing such authority to expand its service area; amending s. 343.56, F.S., relating to bonds of the authority; removing a provision for the use of certain funds for payment of principal and interest on bonds; amending s. 343.57, F.S., relating to a state pledge to bondholders; providing for construction; providing that a bondholder shall have no right to require the Legislature to make any appropriation of state funds; amending s. 343.58, F.S.; providing conditions for funds provided to such authority by the department; providing for certain funding to cease upon commencement of an alternate dedicated local funding source; creating s. 347.215, F.S.;

Rep. Horner moved the adoption of the amendment, which was adopted.

Representative Horner offered the following:

(Amendment Bar Code: 974967)

Amendment 4—Remove line 3986 and insert:

Section 75. Effective upon this act becoming a law, the provisions contained in ss. 5 and 6, chapter

Remove lines 4569-4570 and insert:

Section 95. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2012.

Rep. Horner moved the adoption of the amendment.

Representative Horner offered the following:

(Amendment Bar Code: 360789)

Substitute Amendment 4 (with title amendment)—Remove lines 3986-3989 and insert:

Section 75. Effective upon this act becoming a law, all administrative rules adopted by the former Pilotage Rate Review Board, which were in effect upon the effective date of ss. 5 and 6, chapter 2010-225, Laws of Florida, are transferred by a type two transfer, as defined in s. 20.06(2), Florida Statutes, to the Pilotage Rate Review Committee of the Board of Pilot Commissioners and shall apply retroactively to the effective date of ss. 5 and 6, chapter 2010-225, Laws of Florida.

Remove lines 4569-4570 and insert:

Section 95. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2012.

TITLE AMENDMENT

Remove lines 444-451 and insert:

program; providing for the transfer of administrative rules of the former Pilotage Rate Review Board to the Pilotage Rate Review Committee of the Board of Pilot Commissioners; providing for retroactive application of such rules; requiring

Rep. Horner moved the adoption of the substitute amendment, which was adopted.

Representative Brandes offered the following:

(Amendment Bar Code: 401967)

Amendment 5 (with title amendment)—Remove lines 4025-4075 and insert:

Section 78. It is the intent of the Legislature to encourage and facilitate the merger of the governance, staff, operations, funding, and facilities of the Pinellas Suncoast Transit Authority and the Hillsborough Area Regional Transit Authority in order to enhance the local and regional transit service and connectivity in the Tampa Bay area. Further, the Legislature finds that the merger of Pinellas Suncoast Transit Authority and Hillsborough Area Regional Transit Authority will result in operational efficiencies, reduced administrative costs, and further the regional approach to transit identified in the Tampa Bay Area Regional Transportation Authority's Regional Transportation Master Plan (Master Plan).

(1) The governing bodies of the Pinellas Suncoast Transit Authority and the Hillsborough Area Regional Transit Authority are authorized to enter into an interlocal agreement that merges their agencies, and provides for each of the following elements concerning the merged agency:

(a) Governance structure, including governing board membership, terms, responsibilities, officers, powers, duties, and responsibilities of the merged agency;

(b) Staff reorganization;

(c) Funding options and implementation;

(d) Facilities ownership and management;

(e) Financing of current and future facilities and operations;

(f) Current financial obligations and resources; and

(g) Timetable for actions to be taken consistent with the Tampa Bay Area Regional Transportation Authority's Master Plan.

(2) The governing bodies of Pinellas Suncoast Transit Authority and Hillsborough Area Regional Transit Authority shall hold a joint meeting within 30 days after the effective date of this act, and thereafter no less frequently than every 45 days, in order to prepare, approve, and adopt the interlocal agreement merging their agencies by no later than February 1, 2013. If the governing bodies of the Pinellas Suncoast Transit Authority and the Hillsborough Area Regional Transit Authority are not able to approve and adopt an interlocal agreement that complies with this act by providing for the elements set forth in subsection (1) by February 1, 2013, they shall on February 1, 2013, submit a joint report to the President of the Senate and Speaker of the House of Representatives which explains the efforts they have made to comply with this act, sets forth the specific reasons they have not been able to carry out the intent of the Legislature as set forth in this act, includes minutes of all meetings held by the governing bodies in their effort to comply with this act, and provides the most recent organizational structure, budget, and audit for each agency.

(3) The Tampa Bay Area Regional Transportation Authority shall assist and facilitate the Pinellas Suncoast Transit Authority and the Hillsborough Area Regional Transit Authority in carrying out the intent and purposes of this act. The Tampa Bay Area Regional Transportation Authority shall provide technical assistance and information regarding its Master Plan, shall make recommendations for achieving consistency and improved regional connectivity, and shall provide support to the Pinellas Suncoast Transit Authority and the Hillsborough Area Regional Transit Authority in the preparation of their interlocal agreement, or joint report to the Legislature. For this purpose, the Pinellas Suncoast Transit Authority and the Hillsborough Area Regional Transit Authority shall reimburse the Tampa Bay Area Regional Transportation Authority for necessary and reasonable expense in a total amount not to exceed \$100,000.

TITLE AMENDMENT

Remove lines 471-476 and insert:
providing legislative intent relating to the merger of the Pinellas Suncoast Transit Authority and the Hillsborough Area Regional Transit Authority; authorizing such merger by interlocal agreement that provides for certain elements; requiring joint meetings; requiring a report to the Legislature if an agreement is not reached by a certain date; directing the Tampa Bay Area

Regional Transportation Authority to assist such authorities; providing for certain expenses to be paid;

Rep. Brandes moved the adoption of the amendment.

Representative Brandes offered the following:

(Amendment Bar Code: 931995)

Substitute Amendment 5 (with title amendment)—Remove lines 4025-4075 and insert:

Section 78. It is the intent of the Legislature to encourage and facilitate a review by the Pinellas Suncoast Transit Authority (PSTA) and the Hillsborough Area Regional Transit Authority (HART) in order to achieve improvements in regional transit connectivity and implementation of operational efficiencies and service enhancements that are consistent with the regional approach to transit identified in the Tampa Bay Area Regional Transportation Authority's (TBARTA's) Regional Transportation Master Plan. The Legislature finds that such improvements and efficiencies can best be achieved through a joint review, evaluation, and recommendations by the Pinellas Suncoast Transit Authority and the Hillsborough Area Regional Transit Authority.

(1) The governing bodies or a designated subcommittee of both the Pinellas Suncoast Transit Authority and the Hillsborough Area Regional Transit Authority shall hold a joint meeting within 30 days after July 1, 2012, and as often as deemed necessary thereafter, in order to consider and identify opportunities for greater efficiency and service improvements, including specific methods for increasing service connectivity between the jurisdictions of each agency. The elements to be reviewed must also include:

(a) Governance structure, including governing board membership, terms, responsibilities, officers, powers, duties, and responsibilities;

(b) Funding options and implementation;

(c) Facilities ownership and management;

(d) Current financial obligations and resources; and

(e) Actions to be taken that are consistent with the Tampa Bay Area Regional Transportation Authority's master plan.

(2) The Pinellas Suncoast Transit Authority and the Hillsborough Area Regional Transit Authority shall jointly submit a report to the Speaker of the House of Representatives and the President of the Senate on the elements described in this section by February 1, 2013. The report must include proposed legislation to implement each recommendation and specific recommendations concerning the reorganization of each agency, the organizational merger of both agencies, or the consolidation of functions within and between each agency.

(3) The Tampa Bay Area Regional Transportation Authority shall assist and facilitate the Pinellas Suncoast Transit Authority and the Hillsborough Area Regional Transit Authority in carrying out the purposes of this section. The Tampa Bay Area Regional Transportation Authority shall provide technical assistance and information regarding its master plan, make recommendations for achieving consistency and improved regional connectivity, and provide support to the Pinellas Suncoast Transit Authority and the Hillsborough Area Regional Transit Authority in the preparation of their joint report and recommendations to the Legislature. For this purpose, the Pinellas Suncoast Transit Authority and the Hillsborough Area Regional Transit Authority shall reimburse the Tampa Bay Area Regional Transportation Authority for necessary and reasonable expense in a total amount not to exceed \$100,000.

TITLE AMENDMENT

Remove lines 471-476 and insert:
providing for a review by the Pinellas Suncoast Transit Authority and the Hillsborough Area Regional Transit Authority to consider and identify opportunities and greater efficiency and service improvements for increasing connectivity between each authority; requiring a report to the Legislature; requiring the Tampa Bay Area Regional Transportation Authority to provide

assistance; authorizing governmental units that regulate the operation of vehicles for public hire or other for-hire transportation to request and receive criminal history record information for the purpose of screening applicants;

Rep. Brandes moved the adoption of the substitute amendment, which was adopted.

Representative Brandes offered the following:

(Amendment Bar Code: 811279)

Amendment 6 (with title amendment)—Remove lines 4076-4095

TITLE AMENDMENT

Remove lines 477-490 and insert:
amending ss. 215.616,

Rep. Brandes moved the adoption of the amendment, which was adopted.

Representative Brandes offered the following:

(Amendment Bar Code: 813961)

Amendment 7 (with title amendment)—Between lines 4568 and 4569, insert:

Section 95. Pembroke Park Boulevard designated; Department of Transportation to erect suitable markers.—

(1) That portion of State Road 858/Hallandale Beach Boulevard between Interstate 95/State Road 9 and S.W. 56th Avenue in Broward County is designated as "Pembroke Park Boulevard."

(2) The Department of Transportation is directed to erect suitable markers designating Pembroke Park Boulevard as described in subsection (1).

TITLE AMENDMENT

Remove line 506 and insert:

made by the act; providing honorary designation of certain transportation facilities in specified counties; directing the Department of Transportation to erect suitable markers; providing effective dates.

Rep. Brandes moved the adoption of the amendment, which was adopted.

Representative Brandes offered the following:

(Amendment Bar Code: 283993)

Amendment 8 (with title amendment)—Between lines 4568 and 4569, insert:

Section 95. Paragraph (d) of subsection (1) of section 316.0083, Florida Statutes, is amended to read:

316.0083 Mark Wandall Traffic Safety Program; administration; report.—
(1)

(d)1. The owner of the motor vehicle involved in the violation is responsible and liable for paying the uniform traffic citation issued for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when the driver failed to stop at a traffic signal, unless the owner can establish that:

a. The motor vehicle passed through the intersection in order to yield right-of-way to an emergency vehicle or as part of a funeral procession;

b. The motor vehicle passed through the intersection at the direction of a law enforcement officer;

c. The motor vehicle was, at the time of the violation, in the care, custody, or control of another person; ~~or~~

d. A uniform traffic citation was issued by a law enforcement officer to the driver of the motor vehicle for the alleged violation of s. 316.074(1) or s. 316.075(1)(c)1.; or

e. The motor vehicle's owner was deceased on or before the date that the uniformed traffic citation was issued as established by an affidavit submitted by the representative of the motor vehicle owner's estate or other designated person or family member.

2. In order to establish such facts, the owner of the motor vehicle shall, within 30 days after the date of issuance of the traffic citation, furnish to the appropriate governmental entity an affidavit setting forth detailed information supporting an exemption as provided in this paragraph.

a. An affidavit supporting an exemption under sub-subparagraph 1.c. must include the name, address, date of birth, and, if known, the driver's license number of the person who leased, rented, or otherwise had care, custody, or control of the motor vehicle at the time of the alleged violation. If the vehicle was stolen at the time of the alleged offense, the affidavit must include the police report indicating that the vehicle was stolen.

b. If a traffic citation for a violation of s. 316.074(1) or s. 316.075(1)(c)1. was issued at the location of the violation by a law enforcement officer, the affidavit must include the serial number of the uniform traffic citation.

c. If the motor vehicle's owner to whom a traffic citation has been issued is deceased, the affidavit must include a certified copy of the owner's death certificate showing that the date of death occurred on or before the issuance of the uniform traffic citation and one of the following:

(I) A bill of sale or other document showing that the deceased owner's motor vehicle was sold after his or her death but on or before the date of the alleged violation.

(II) Documentary proof that the registered license plate belonging to the deceased owner's vehicle was returned to the department or any branch office or authorized agent of the department on or before the date of the alleged violation.

(III) A copy of a police report showing the deceased owner's registered license plate or motor vehicle was stolen after the owner's death but on or before the date of the alleged violation.

Upon receipt of the affidavit and documentation required under this sub-subparagraph, the governmental entity must dismiss the citation and provide proof of such dismissal to the person that submitted the affidavit.

3. Upon receipt of an affidavit, the person designated as having care, custody, and control of the motor vehicle at the time of the violation may be issued a traffic citation for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when the driver failed to stop at a traffic signal. The affidavit is admissible in a proceeding pursuant to this section for the purpose of providing proof that the person identified in the affidavit was in actual care, custody, or control of the motor vehicle. The owner of a leased vehicle for which a traffic citation is issued for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when the driver failed to stop at a traffic signal is not responsible for paying the traffic citation and is not required to submit an affidavit as specified in this subsection if the motor vehicle involved in the violation is registered in the name of the lessee of such motor vehicle.

4. The submission of a false affidavit is a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

TITLE AMENDMENT

Remove line 506 and insert:

made by the act; amending s. 316.0083, F.S., providing an additional defense for certain red-light traffic infractions; providing for the dismissal of a uniform traffic citation for a red-light violation when the motor vehicle owner is deceased and an affidavit with specified supporting documents is filed with the issuing agency; providing effective dates.

Rep. Brandes moved the adoption of the amendment, which was adopted.

Representative Plakon offered the following:

(Amendment Bar Code: 365545)

Amendment 9 (with title amendment)—Between lines 4568 and 4569, insert:

Section 95. Short title.—Sections 95 through 107 of this act may be cited as the "Seminole County Expressway Authority Law."

Section 96. Definitions.—As used in the Seminole County Expressway Authority Law, the term:

(1) "Agency of the state" means the state and any agency, instrumentality, or corporation created, designated, or established by, the state.

(2) "Authority" means the Seminole County Expressway Authority.

(3) "Bond" means a note, bond, refunding bond, or other evidence of indebtedness or obligation, in temporary or definitive form, which the authority issues pursuant to the Seminole County Expressway Authority Law.

(4) "County" means Seminole County.

(5) "Department" means the Department of Transportation.

(6) "Expressway" means a street or highway especially designed for through traffic, and over, from, or to which owners or occupants of abutting land or other persons have no right or easement or only a limited right or easement of access, light, air, or view. Such highways or streets may be facilities from which trucks, buses, and other commercial vehicles are excluded, or facilities open to use by all customary forms of street and highway traffic.

(7) "Gasoline tax funds" means the 80 percent surplus gasoline tax funds accruing each year to the department for use within Seminole county under the s. 9, Art. XII of the State Constitution, after deducting any gasoline tax funds pledged by the department or the county for outstanding obligations.

(8) "Seminole County Expressway System" or "system" means any expressway and appurtenant facilities thereto in Seminole County, including, but not limited to, all approaches, roads, bridges, and avenues of access for the expressway.

Section 97. Seminole County Expressway Authority.—

(1) There is created a body politic and corporate, an agency of the state, to be known as the "Seminole County Expressway Authority."

(2) The authority has exclusive right to exercise all the powers under the Seminole County Expressway Authority Law, and no other entity, body, or authority within or without the county may directly or indirectly exercise jurisdiction, control, authority, or power in any manner relating to an expressway system within the county without the express consent of the authority or as otherwise provided in this law. This subsection does not limit the authority of the department under any other provision of law.

(3) The governing body of the authority shall consist of seven members.

(a) Five members must be members of the Board of County Commissioners of Seminole County, and the term of each member is concomitant with his or her term as a county commissioner.

(b) Two members shall be appointed by the board of county commissioners from among the duly elected municipal officers within the county and shall be appointed to serve 2-year terms unless reappointed.

1. Each 2-year term runs from the date of appointment and automatically terminates if the member ceases to be a duly elected municipal officer. Each appointed member of the authority shall enter upon his or her duties upon the effective date of his or her appointment, or as soon thereafter as practicable.

2. The board of county commissioners shall fill a municipal membership vacancy within 45 days after the occurrence of the vacancy, and the board must appoint an individual who is jointly recommended to the board of county commissioners by two-thirds of the municipalities in the county within 30 days after the vacancy.

(4) The authority shall elect one of its members as chair. The authority shall elect a secretary and a treasurer, who need not be members of the authority. The chair, secretary, and treasurer hold the office at the will of the authority.

(5) Four members of the authority constitute a quorum, and the affirmative vote of three members is necessary for any action taken by the authority. A vacancy in the authority does not impair the right of the quorum to exercise the rights and perform the duties of the authority.

(6) The authority shall reimburse its members for travel and other necessary expenses incurred in connection with the business of the authority as provided in s. 112.061, Florida Statutes, but the members may not draw salaries or other compensation.

(7) The authority may employ an executive secretary, an executive director, its own counsel and legal staff, technical experts, engineers, and

other employees, permanent or temporary, as it may require, and determine the qualifications and fix the compensation of employees and contractors. The total compensation package for any authority employee may not exceed the total compensation package of the Secretary of Transportation.

(8) The authority may contract with the Division of Bond Finance of the State Board of Administration for any financial services authorized herein. The authority may delegate to one or more of its agents or employees any of its powers as it deems necessary to carry out the purposes of the Seminole County Expressway Authority Law, subject to the supervision and control of the authority.

Section 98. Powers and duties.—The authority may acquire, hold, construct, improve, maintain, operate, and own the Seminole County Expressway System.

(1) The authority may construct any extension, addition, or improvement to the system or appurtenant facilities, including all necessary approaches, roads, bridges, and avenues of access, with any change, modification, or revision of the project as deemed necessary.

(2) The authority may exercise all powers necessary, appurtenant, convenient, or incidental to the implementation of the Seminole County Expressway Authority Law, including, but not limited to:

(a) To sue and be sued, implead and be impleaded, and complain and defend in all courts.

(b) To adopt, use, and alter a corporate seal at will.

(c) To acquire, purchase, hold, lease as lessee, and use any franchise or property, real, personal, or mixed, tangible or intangible, or any interest necessary to implement the purposes of the Seminole County Expressway Authority Law, and to sell, lease as lessor, transfer, and dispose of, at any time, any property or interest acquired by the authority.

(d) To enter into and make leases for terms not exceeding 40 years, as lessee or lessor, and to implement the right to lease as provided in the Seminole County Expressway Authority Law.

(e) To fix, alter, charge, establish, and collect tolls, rates, fees, rentals, and other charges for the services and facilities of the system, which are sufficient to comply with any covenant made with the holders of any bonds issues pursuant to the Seminole County Expressway Authority Law.

(f) To fix, alter, charge, establish, and collect rates, fees, rentals, and other charges for the services and facilities of the system, which rates, fees, rentals, and other charges are sufficient to comply with any covenant made with the holders of any bonds issued pursuant to the Seminole County Expressway Authority Law; however, the authority may assign or delegate to the department any of its rights and powers.

(g) To borrow money as provided by the State Bond Act.

(h) To reimburse the county for any sums expended from gasoline tax funds and any other revenues provided to the authority by the county and used for the payment of the obligations. If the authority deems it practicable, the authority may repay disbursed revenues from county or gasoline tax funds, together with interest at the highest rate applicable, to any obligations of the authority for which funds or revenues were used to pay debt service.

(i) To hire and retain independent certified public accountants and auditors to audit the books and records of the authority and the department with respect to the system or any part thereof, so long as any bonds of the authority are outstanding.

(j) To make contracts and to execute all instruments necessary to conduct its business.

(k) To borrow money and accept grants from, and to enter into contracts, leases, or other transactions with, any federal agency, the state, any agency of the state, Seminole County, or any other public body of the state.

(l) To have the power of eminent domain, including the procedural powers granted under chapters 73 and 74, Florida Statutes.

(m) To pledge, hypothecate, or otherwise encumber all parts of the revenues, rates, fees, rentals, or other charges or receipts of the authority, including all or any portion of gasoline tax funds or other revenues received by the authority pursuant to the terms of any agreement between the authority and Seminole County, as security for the obligations of the authority.

(n) To do all acts necessary for the conduct of its business and the general welfare of the authority in order to implement the powers granted to it by the Seminole County Expressway Authority Law or other law.

(o) To assume and resume all duties and responsibilities of the prior Seminole County Expressway Authority for any contract or agreement that existed on June 30, 2011, and to which the prior Seminole County Expressway Authority was a party.

(3) The authority may not pledge the credit or taxing power of the state or any political subdivision or agency of the state, including Seminole County. The obligations of the authority are not deemed obligations of the state, or any political subdivision or agency of the state. The state, or any political subdivision or agency of the state, except the authority, is not liable for the payment of the principal or interest on the obligations. The use or pledge of all or any portion of gasoline tax funds may not be made without the prior express written consent of the Seminole County Board of County Commissioners.

(4) The consent of a municipality is not necessary for any project of the authority, notwithstanding any other provision of the Seminole County Expressway Authority Law or any other law or whether the project lies, in whole or in part, within the boundaries of a municipality. However, an official or a resident of a municipality in which a project of the authority is located, in whole or in part, must have reasonable opportunity to discuss the project and advise the authority of his or her position at a duly advertised public hearing. Notice of the public hearing must be advertised in a newspaper published in the county and circulated in the affected municipalities. The notice must be published once at least 2 weeks before the public hearing and provide the time and place of the public hearing and a short description of the subject to be discussed. The public hearing may be adjourned and set for a time and place certain without further advertisement. In routing and locating an expressway or its interchange in or through a municipality, the authority must consider the effect of such location on the municipality as a whole and may not unreasonably split or divide an area of the municipality or separate one area of the municipality from another.

Section 99. Bonds.—

(1) Bonds may be issued on behalf of the authority as provided by the State Bond Act. However, bonds may not be issued unless the resolution authorizing the bonds and pledging the revenues of the expressway require that the revenues of the Seminole County Expressway System be deposited into appropriate accounts in sums sufficient to pay the costs of operation and maintenance of the system for the current fiscal year before any revenues of the system are applied to the payment of interest or principal owing or that may become owing on such bonds.

(2) The State Board of Administration shall act as fiscal agent for the authority in the issuance of bonds pursuant to this section. Upon request of the authority, the state board may take over the management, control, administration, custody, and payment of any debt service, fund, or asset available for bonds issued under this section.

(3) The authority may enter into a deed of trust, an indenture, a resolution, or another agreement with its fiscal agent, a financial institution, an insurance company, or a bank or trust company within or without the state, as security for the bonds, and may, under the agreement, sign and pledge any of the revenues, rates, fees, rentals, or other charges or receipts of the authority, including any portion of gasoline tax funds or other revenues received by the authority pursuant to the terms of an agreement between the authority and the county. The deed of trust, indenture, resolution, or other agreement may contain provisions that are customary in such instruments, or, if the authority authorizes, may include, without limitation, provisions as to:

(a) The completion, improvement, operation, extension, maintenance, and repair of the system.

(b) The availability and application of funds and the safeguarding of funds on hand or on deposit.

(c) The rights and remedies of the trustee and the holders of the bonds and any institution providing liquidity or credit support for the bonds.

(d) The terms and provisions of the bonds or the resolutions authorizing the issuance of the bonds.

(e) The terms and conditions pursuant to which the authority or any trustee for the bonds is entitled to receive any revenues from the county to pay the principal of or interest on the bonds.

Section 100. Department to construct, operate, and maintain facilities.—

(1) The department is the agent of the authority for the purpose of performing all phases of a project, including, but not limited to, constructing improvements and extensions to the Seminole County Expressway System. The Division of Bond Finance and the authority shall provide the department with complete copies of all documents, agreements, resolutions, contracts, and instruments relating thereto, and shall request the department to do such construction work, including the planning, surveying, design, and actual construction of the completion, extensions, and improvements to the expressway system. Upon the issuance of bonds to finance the construction of an expressway system or improvements to the expressway system, the division shall transfer to the credit of an account of the department in the State Treasury the necessary funds for construction. The department shall then proceed with construction and use the funds for such purpose in the same manner as it is now authorized to use the funds otherwise provided by law for its use in the construction of roads and bridges. The authority, with the consent and approval of the department, may alternatively elect to appoint a local agency certified by the department to administer federal aid projects in accordance with federal law as its agent for the purpose of performing all phases of a project. This subsection does not prohibit the authority's acceptance of improvements to an expressway which may be constructed by a private party and donated to the authority.

(2) The department is the agent of the authority for the purpose of operating and maintaining the Seminole County Expressway System. The department shall operate and maintain the system and the costs incurred by the department for operation and maintenance shall be reimbursed from revenues of the expressway system.

(3) The authority retains the right to fix, alter, charge, establish, and collect tolls, rates, fees, rentals, and other charges for the authority's facilities, as otherwise provided in the Seminole County Expressway Authority Law.

(4) The Seminole County Expressway System shall be a part of the State Highway System as defined in s. 334.03, Florida Statutes.

Section 101. Acquisition of lands and property.—

(1) The authority may acquire private or public property and property rights, including rights of access, air, view, and light, by gift, devise, purchase, or condemnation by an eminent domain proceeding, as the authority deems necessary to implement the Seminole County Expressway Authority Law. The property that the authority may acquire includes, but is not limited to, any land:

(a) Reasonably necessary for securing applicable permits, areas necessary for management of access, borrow pits, drainage ditches, water retention areas, rest areas, replacement access for landowners whose access is impaired due to the construction of a facility, and replacement rights-of-way for relocated rail and utility facilities.

(b) For existing, proposed, or anticipated transportation facilities on the Seminole County Expressway System or in a transportation corridor designated by the authority.

(c) For the purposes of screening, relocation, removal, or disposal of junkyards and scrap metal processing facilities.

The authority may condemn any material and property necessary for these purposes.

(2) The authority may exercise the right of eminent domain in the manner provided by law.

(3) If the authority acquires property for a transportation facility or in a transportation corridor, the authority is not subject to any liability imposed by chapter 376 or chapter 403, Florida Statutes, for preexisting soil or groundwater contamination due solely to its ownership. This section does not affect the rights or liabilities of any past or future owners of the acquired property, nor does it affect the liability of any governmental entity for the results of its actions that create or exacerbate a pollution source. The authority and the Department of Environmental Protection may enter into an interagency agreement for the performance, funding, and reimbursement of the investigative and remedial acts necessary for property acquired by the authority.

Section 102. Cooperation with other units, boards, agencies, and individuals.—Any county, municipality, drainage district, road or bridge district, school district, or any other political subdivision, board, commission,

or individual in or of the state may make and enter into a contract, lease, conveyance, or other agreement with the authority consistent with the Seminole County Expressway Authority Law. The authority may make and enter into a contract, lease, conveyance, or other agreement with any political subdivision, agency, or instrumentality of the state, any federal agency, any corporation, or any individual to implement the Seminole County Expressway Authority Law.

Section 103. Covenant of the state.—The state pledges to, and agrees with, any person, firm, corporation, or federal or state agency subscribing to or acquiring the bonds issued by the authority pursuant to the Seminole County Expressway Authority Law that the state will not limit or alter the rights vested in the authority and the department until all bonds at any time issued, together with the interest on the bonds, are fully paid and discharged. The state pledges to, and agrees with, the United States that, when any federal agency constructs or contributes any funds for the completion, extension, or improvement of the Seminole County Expressway System or any part or portion thereof, the state will not alter or limit the rights and powers of the authority and the department in any manner that would be inconsistent with the continued maintenance and operation of the system or the completion, extension, or improvement of the system, or that is inconsistent with the due performance of the agreement between the authority and the federal agency. The authority and the department have and may exercise all powers granted in the Seminole County Expressway Authority Law necessary to implement the purposes of such law and the purposes of the United States in the completion, extension, or improvement of the system or any part or portion of the system.

Section 104. Exemption from taxation.—The authority created pursuant to the Seminole County Expressway Authority Law is for the benefit of the people of the state, for the increase of their commerce and prosperity, and for the improvement of their health and living conditions. Because the authority is performing essential governmental functions in carrying out the purposes of the Seminole County Expressway Authority Law, the authority is exempt from taxes or assessments upon any property acquired or used by it for such purposes, or upon any revenues, rates, fees, rentals, receipts, income, or charges received by it. The bonds issued by the authority, their transfer, and the income from the bonds, including any profits made on the sale of the bonds, are at all times free from taxation of any kind by the state or any political subdivision, taxing agency, or instrumentality of the state. However, the exemption granted by this section is not applicable to any tax imposed under chapter 220, Florida Statutes, on interest, income, or profits on debt obligations owned by corporations. If a property of the authority is leased, it is exempt from ad valorem taxes if the use by the lessee qualifies the property for exemption under s. 196.199, Florida Statutes.

Section 105. Eligibility for investments and security.—Any bonds or other obligations issued pursuant to the Seminole County Expressway Authority Law are legal investments for banks, savings banks, trustees, executors, administrators, and all other fiduciaries, and for all state, municipal, and other public funds, and are securities eligible for deposit as security for all state, municipal, or other public funds, notwithstanding any other provisions of law.

Section 106. Complete and additional authority.—

(1) The powers conferred by the Seminole County Expressway Authority Law are in addition to the existing powers of the authority and the department, and do not repeal any other law, general, special, or local. The extension and improvement of the Seminole County Expressway System, and the issuance of bonds pursuant to the Seminole County Expressway Authority Law to finance all or part of the cost of the system, may be accomplished upon compliance with such law without regard to or necessity for compliance with the provisions, limitations, or restrictions contained in any other general, special, or local law. Approval by qualified electors or qualified electors who are freeholders in the state, in Seminole County, or in any other political subdivision of the state is not required for the issuance of bonds pursuant to the Seminole County Expressway Authority Law.

(2) The provisions of the Seminole County Expressway Authority Law do not repeal, rescind, or modify any other law relating to the State Board of Administration, the Department of Transportation, or the Division of Bond Finance of the State Board of Administration, but supersede any law that is inconsistent with this law.

Section 107. Subsection (5) of section 369.317, Florida Statutes, is amended to read:

369.317 Wekiva Parkway.—

(5) ~~In Seminole County, the Seminole County Expressway Authority, the Department of Transportation, and the Florida Turnpike Enterprise shall locate the precise corridor and interchanges for the Wekiva Parkway consistent with the legislative intent expressed in this part act and other provisions of this part act.~~

TITLE AMENDMENT

Remove line 506 and insert:

made by the act; creating the Seminole County Expressway Authority Law; providing definitions; creating the Seminole County Expressway Authority; prohibiting an entity or body or another authority from exercising jurisdiction, control, authority, or power over an expressway system in Seminole County without the consent of the Seminole County Expressway Authority; providing for membership and terms of the governing body of the authority; providing for officers, a quorum, and reimbursement for travel and per diem; authorizing staffing; providing for certain reimbursement for authority members; authorizing the authority to contract with the Division of Bond Finance for financial services; providing for the powers and duties of the authority; providing for the assumption of duties and responsibilities of the prior Seminole County Expressway Authority for certain contracts and agreements; prohibiting the authority from pledging the credit or taxing power of the state; providing that the authority does not need the consent of a municipality for projects but must provide the opportunity for public comment; providing for the issuance of bonds; authorizing the State Board of Administration to act as the fiscal agent of the authority in the issuance of bonds; authorizing the authority to enter into agreements to secure such bonds; providing that the Department of Transportation is the agent of authority for performing all phases of a project and for operating the expressway system; providing that the authority has the power to set and collect all tolls and charges; authorizing the authority to acquire land and properties, including eminent domain; providing for the cooperation of other entities to further the purposes of the act; prohibiting the state from changing the terms of the bonds; exempting the authority from certain taxes; providing for the bond's eligibility for investments and security; providing for the extent of the powers authorized by the act; amending s. 369.317, F.S.; authorizing only the department to locate the corridor and interchanges for the Wekiva Parkway; providing effective dates.

Rep. Plakon moved the adoption of the amendment. Subsequently, **Amendment 9** was withdrawn.

Representatives Horner, Brodeur, Crisafulli, and Soto offered the following:

(Amendment Bar Code: 357797)

Amendment 10 (with title amendment)—Between lines 4568 and 4569, insert:

Section 95. Subsection (2) of section 348.753, Florida Statutes, is amended to read:

348.753 Orlando-Orange County Expressway Authority.—

(2) The governing body of the authority shall consist of five members. ~~Four~~ ~~Three~~ members shall be citizens of Orange County, who shall be appointed by the Governor. ~~The fourth member shall be, ex officio, the chair of the County Commissioners of Orange County, and the fifth member shall be, ex officio, the district secretary of the Department of Transportation serving in the district that contains Orange County. The term of each appointed member shall be for 4 years. Each appointed member shall hold office until his or her successor has been appointed and has qualified. A vacancy occurring during a term shall be filled only for the balance of the unexpired term. Each appointed member of the authority shall be a person of outstanding reputation for integrity, responsibility, and business ability, but no~~

person who is an officer or employee of any city or of Orange County in any other capacity shall be an appointed member of the authority. Any member of the authority shall be eligible for reappointment. However, no member may be appointed who:

- (a) Is a local government elected official;
- (b) Has received campaign contributions related to any local government election within the previous 2 years; or
- (c) Currently serves as a member of the Greater Orlando Aviation Authority.

TITLE AMENDMENT

Remove line 506 and insert:
made by the act; amending s. 348.753, F.S.; revising the membership criteria for the governing body of the Orlando-Orange County Expressway Authority; providing effective dates.

Rep. Horner moved the adoption of the amendment, which was adopted.

Representative Brandes offered the following:

(Amendment Bar Code: 604001)

Amendment 11 (with title amendment)—Between lines 4568 and 4569, insert:

Section 95. Section 320.089, Florida Statutes, is amended to read:

320.089 Members of National Guard and active United States Armed Forces reservists; former prisoners of war; survivors of Pearl Harbor; Purple Heart medal recipients; Operation Iraqi Freedom and Operation Enduring Freedom Veterans; Combat Infantry Badge or Combat Action Badge recipients; special license plates; fee.—

(1)(a) Each owner or lessee of an automobile or truck for private use or recreational vehicle as specified in s. 320.08(9)(c) or (d), which is not used for hire or commercial use, who is a resident of the state and an active or retired member of the Florida National Guard, a survivor of the attack on Pearl Harbor, a recipient of the Purple Heart medal, ~~or~~ an active or retired member of any branch of the United States Armed Forces Reserve, or a recipient of the Combat Infantry Badge or Combat Action Badge shall, upon application to the department, accompanied by proof of active membership or retired status in the Florida National Guard, proof of membership in the Pearl Harbor Survivors Association or proof of active military duty in Pearl Harbor on December 7, 1941, proof of being a Purple Heart medal recipient, ~~or~~ proof of active or retired membership in any branch of the Armed Forces Reserve, or proof of membership in the Combat Infantrymen's Association, Inc., or other proof of being a recipient of the Combat Infantry Badge or Combat Action Badge, and upon payment of the license tax for the vehicle as provided in s. 320.08, be issued a license plate as provided by s. 320.06, upon which, in lieu of the serial numbers prescribed by s. 320.06, shall be stamped the words "National Guard," "Pearl Harbor Survivor," "Combat-wounded veteran," ~~or~~ "U.S. Reserve," "Combat Infantry Badge," or "Combat Action Badge" as appropriate, followed by the serial number of the license plate. Additionally, the Purple Heart plate may have the words "Purple Heart" stamped on the plate and the likeness of the Purple Heart medal appearing on the plate.

(b) Notwithstanding any other provision of law to the contrary, beginning with fiscal year 2002-2003 and annually thereafter, the first \$100,000 in general revenue generated from the sale of license plates issued under this section shall be deposited into the Grants and Donations Trust Fund, as described in s. 296.38(2), to be used for the purposes established by law for that trust fund. Any additional general revenue generated from the sale of such plates shall be deposited into the State Homes for Veterans Trust Fund and used solely to construct, operate, and maintain domiciliary and nursing homes for veterans, subject to the requirements of chapter 216.

(c) Notwithstanding any provisions of law to the contrary, an applicant for a Pearl Harbor Survivor license plate or a Purple Heart license plate who also qualifies for a disabled veteran's license plate under s. 320.084 shall be issued the appropriate special license plate without payment of the license tax imposed by s. 320.08.

(2) Each owner or lessee of an automobile or truck for private use, truck weighing not more than 7,999 pounds, or recreational vehicle as specified in s. 320.08(9)(c) or (d), which is not used for hire or commercial use, who is a resident of the state and who is a former prisoner of war, or their unremarried surviving spouse, shall, upon application therefor to the department, be issued a license plate as provided in s. 320.06, on which license plate are stamped the words "Ex-POW" followed by the serial number. Each application shall be accompanied by proof that the applicant meets the qualifications specified in paragraph (a) or paragraph (b).

(a) A citizen of the United States who served as a member of the Armed Forces of the United States or the armed forces of a nation allied with the United States who was held as a prisoner of war at such time as the Armed Forces of the United States were engaged in combat, or their unremarried surviving spouse, may be issued the special license plate provided for in this subsection without payment of the license tax imposed by s. 320.08.

(b) A person who was serving as a civilian with the consent of the United States Government, or a person who was a member of the Armed Forces of the United States who was not a United States citizen and was held as a prisoner of war when the Armed Forces of the United States were engaged in combat, or their unremarried surviving spouse, may be issued the special license plate provided for in this subsection upon payment of the license tax imposed by s. 320.08.

(3) Each owner or lessee of an automobile or truck for private use, truck weighing not more than 7,999 pounds, or recreational vehicle as specified in s. 320.08(9)(c) or (d), which is not used for hire or commercial use, who is a resident of this state and who is the unremarried surviving spouse of a recipient of the Purple Heart medal shall, upon application therefor to the department, with the payment of the required fees, be issued a license plate as provided in s. 320.06, on which license plate are stamped the words "Purple Heart" and the likeness of the Purple Heart medal followed by the serial number. Each application shall be accompanied by proof that the applicant is the unremarried surviving spouse of a recipient of the Purple Heart medal.

(4) The owner or lessee of an automobile or truck for private use, a truck weighing not more than 7,999 pounds, or a recreational vehicle as specified in s. 320.08(9)(c) or (d) which automobile, truck, or recreational vehicle is not used for hire or commercial use who is a resident of the state and a current or former member of the United States military who was deployed and served in Iraq during Operation Iraqi Freedom or in Afghanistan during Operation Enduring Freedom shall, upon application to the department, accompanied by proof of active membership or former active duty status during one of these operations, and upon payment of the license tax for the vehicle as provided in s. 320.08, be issued a license plate as provided by s. 320.06 upon which, in lieu of the registration license number prescribed by s. 320.06, shall be stamped the words "Operation Iraqi Freedom" or "Operation Enduring Freedom," as appropriate, followed by the registration license number of the plate.

TITLE AMENDMENT

Remove line 506 and insert:

made by the act; amending s. 320.089, F.S.; providing for the issuance of a Combat Infantry Badge license plate and a Combat Action Badge license plate; providing qualifications and requirements for the plate; providing for the use of proceeds from the sale of the plate; providing effective dates.

Rep. Brandes moved the adoption of the amendment, which was adopted.

Representative Brandes offered the following:

(Amendment Bar Code: 598727)

Amendment 12 (with title amendment)—Between lines 4568 and 4569, insert:

Section 95. Subsection (10) is added to section 338.165, Florida Statutes, to read:

338.165 Continuation of tolls.—

(10) The department's Beachline-East Expressway may be transferred by the department and become part of the turnpike system under the Florida Turnpike Enterprise Law. Any funds expended by Florida Turnpike Enterprise for the acquisition of the Beachline-East Expressway shall be deposited into the State Transportation Trust Fund, and, notwithstanding any other law to the contrary, such funds shall first be allocated by the department to fund the department's obligation to construct the Wekiva Parkway. The term "Wekiva Parkway" means a limited access highway or expressway constructed between State Road 429 and Interstate 4 specifically incorporating the corridor alignment recommended by Recommendation 2 of the Wekiva River Basin Area Task Force final report dated January 15, 2003, and the recommendations of the SR 429 Working Group which were adopted January 16, 2004, and related transportation facilities.

Section 96. Section 348.7546, Florida Statutes, is amended to read:

348.7546 Wekiva Parkway, construction authorized; financing.—~~Notwithstanding s. 338.2275,~~

(1) The Orlando-Orange County Expressway Authority is hereby authorized to exercise its condemnation powers and to construct, finance, operate, own, and maintain those portions of the Wekiva Parkway which are identified by agreement between the authority and the department and which are included as part of the authority's long-range capital improvement plan. The "Wekiva Parkway" means any limited access highway or expressway constructed between State Road 429 and Interstate 4 specifically incorporating the corridor alignment recommended by Recommendation 2 of the Wekiva River Basin Area Task Force final report dated January 15, 2003, and the recommendations of the SR 429 Working Group which that were adopted January 16, 2004. This project may be financed with any funds available to the authority for such purpose or revenue bonds issued by the authority under s. 11, Art. VII of the State Constitution and s. 348.755(1)(b). This section does not invalidate the exercise by the authority of its condemnation powers or the acquisition of any property for the Wekiva Parkway before July 1, 2012.

(2) Notwithstanding any other provision of law to the contrary, in order to ensure that funds are available to the department for its portion of the Wekiva Parkway, beginning July 1, 2012, the authority shall repay the expenditures by the department for costs of operation and maintenance of the Orlando-Orange County Expressway System in accordance with the terms of the memorandum of understanding between the authority and the department ratified by the authority board on February 22, 2012, which requires the authority to pay the department \$10 million on July 1, 2012, and \$20 million on each successive July 1 until the department has been fully reimbursed for all costs of the Orlando-Orange County Expressway System which were paid, advanced, or reimbursed to the authority by the department, with a final payment in the amount of the balance remaining. Notwithstanding any other law to the contrary, the funds paid to the department pursuant to this subsection shall be allocated by the department for construction of the Wekiva Parkway.

(3) The department's obligation to construct its portions of the Wekiva Parkway is contingent upon the timely payment by the authority of the annual payments required of the authority and receipt of all required environmental permits and approvals by the Federal Government.

Section 97. Subsections (6) is added to section 348.755, Florida Statutes, to read:

348.755 Bonds of the authority.—

(6) Notwithstanding any other provision of law to the contrary, on and after July 1, 2012, the authority may not issue any bonds except as permitted under the terms of the memorandum of understanding between the authority and the department ratified by the authority board on February 22, 2012.

Section 98. Subsections (8) and (9) are added to section 348.757, Florida Statutes, to read:

348.757 Lease-purchase agreement.—

(8) The only lease-purchase agreement authorized by this section is the lease-purchase agreement between the department and the authority dated December 23, 1985, as supplemented by a first supplement to the lease-purchase agreement dated November 25, 1986, and a second supplement to the lease-purchase agreement dated October 27, 1988.

(9) Upon the earlier of the defeasance, redemption, or payment in full of the authority bonds issued before July 1, 2012, or the earlier date to which the purchasers of the authority bonds have consented:

(a) The obligations of the department under the lease- purchase agreement with the authority, including any obligation to pay any cost of operation, maintenance, repair, or rehabilitation of the expressway system, terminate;

(b) The lease purchase agreement terminates;

(c) The expressway system remains the property of the authority and may not be transferred to the department; and

(d) The authority remains obligated to reimburse the department in accordance with the terms of the memorandum of understanding between the authority and the department ratified by the authority board on February 22, 2012.

Section 99. Subsections (2) and (5) of section 369.317, Florida Statutes, are amended to read:

369.317 Wekiva Parkway.—

(2) The Wekiva Parkway and related transportation facilities shall follow the design criteria contained in the recommendations of the Wekiva River Basin Area Task Force adopted by reference by the Wekiva River Basin Coordinating Committee in its final report of March 16, 2004, and the recommendations of the Wekiva Coordinating Committee contained in its final report of March 16, 2004, subject to reasonable environmental, economic, and engineering considerations. For those activities associated with the Wekiva Parkway and related transportation facilities which require authorization pursuant to part IV of chapter 373, the Department of Environmental Protection is the exclusive permitting authority.

(5) In Seminole County, the Seminole County Expressway Authority, the Department of Transportation, and the Florida Turnpike Enterprise shall locate the precise corridor and interchanges for the Wekiva Parkway consistent with the legislative intent expressed in this act and other provisions of this act.

TITLE AMENDMENT

Remove line 506 and insert:

made by the act; amending s. 338.165, F.S.; authorizing the department to transfer certain transportation facilities to the turnpike system; providing for use of funds received from Florida Turnpike Enterprise for acquisition of such facilities; defining the term "Wekiva Parkway"; amending s. 348.7546, F.S.; revising provisions for the Orlando-Orange County Expressway Authority to construct and maintain the Wekiva Parkway; providing for construction of specified provisions; directing the authority to make certain payments to the department; providing for use of funds received by the department; providing that the department's obligation to construct its portions of the Wekiva Parkway is contingent upon certain events; amending s. 348.755, F.S.; prohibiting the Orlando-Orange County Expressway Authority from issuing bonds except under specified circumstances; amending s. 348.757, F.S.; revising provisions for the Orlando-Orange County Expressway Authority to enter into lease-purchase agreements with the department; amending s. 369.317, F.S.; revising provisions for the Wekiva Parkway; providing that the Department of Environmental Protection is the exclusive permitting authority for certain activities; revising provisions for location of the parkway; providing effective dates.

Rep. Brandes moved the adoption of the amendment, which was adopted.

Representative Brandes offered the following:

(Amendment Bar Code: 389773)

Amendment 13 (with title amendment)—Between lines 4568 and 4569, insert:

Section 95. Vehicles equipped with autonomous technology; intent.—

(1) As used in this section, the term "autonomous technology" means technology installed on a motor vehicle that has the capability to drive the vehicle on which the technology is installed without the active control or monitoring by a human operator. The term excludes a motor vehicle enabled with active safety systems or driver assistance systems, including, without

limitation, a system to provide electronic blind spot assistance, crash avoidance, emergency braking, parking assistance, adaptive cruise control, lane keep assistance, lane departure warning, or traffic jam and queuing assistant, unless any such system alone or in combination with other systems enables the vehicle on which the technology is installed to drive without the active control or monitoring by a human operator.

(2) It is the intent of the Legislature to encourage the safe development, testing, and operation of motor vehicles with autonomous technology on the public roads of the state. The Legislature finds that the state does not prohibit or specifically regulate the testing or operation of autonomous technology in motor vehicles on public roads.

Section 96. Subsection (89) is added to section 316.003, Florida Statutes, to read:

316.003 Definitions.—The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

(89) **AUTONOMOUS VEHICLE.**—Any vehicle equipped with autonomous technology. The term "autonomous technology" means technology installed on a motor vehicle that has the capability to drive the vehicle on which the technology is installed without the active control or monitoring by a human operator. The term excludes a motor vehicle enabled with active safety systems or driver assistance systems, including, without limitation, a system to provide electronic blind spot assistance, crash avoidance, emergency braking, parking assistance, adaptive cruise control, lane keep assistance, lane departure warning, or traffic jam and queuing assistant, unless any such system alone or in combination with other systems enables the vehicle on which the technology is installed to drive without the active control or monitoring by a human operator.

Section 97. Section 316.85, Florida Statutes, is created to read:

316.85 Autonomous vehicles; operation.—

(1) A person who possesses a valid driver license may operate an autonomous vehicle in autonomous mode.

(2) For purposes of this chapter, unless the context otherwise requires, a person shall be deemed to be the operator of an autonomous vehicle operating in autonomous mode when the person causes the vehicle's autonomous technology to engage, regardless of whether the person is physically present in the vehicle while the vehicle is operating in autonomous mode.

Section 98. Section 319.145, Florida Statutes, is created to read:

319.145 Autonomous vehicles.—

(1) An autonomous vehicle registered in this state must continue to meet federal standards and regulations for a motor vehicle. The vehicle shall:

(a) Have a means to engage and disengage the autonomous technology which is easily accessible to the operator.

(b) Have a means, inside the vehicle, to visually indicate when the vehicle is operating in autonomous mode.

(c) Have a means to alert the operator of the vehicle if a technology failure affecting the ability of the vehicle to safely operate autonomously is detected while the vehicle is operating autonomously in order to indicate to the operator to take control of the vehicle.

(d) Be capable of being operated in compliance with the applicable traffic and motor vehicle laws of this state.

(2) Federal regulations promulgated by the National Highway Traffic Safety Administration shall supersede this section when found to be in conflict with this section.

Section 99. (1) Vehicles equipped with autonomous technology may be operated on roads in this state by employees, contractors, or other persons designated by manufacturers of autonomous technology for the purpose of testing the technology. For testing purposes, a human operator shall be present in the autonomous vehicle such that he or she has the ability to monitor the vehicle's performance and intervene, if necessary, unless the vehicle is being tested or demonstrated on a closed course. Prior to the start of testing in this state, the entity performing the testing must submit to the Department of Highway Safety and Motor Vehicles an instrument of insurance, surety bond, or proof of self-insurance acceptable to the department in the amount of \$5 million.

(2) The original manufacturer of a vehicle converted by an unaffiliated third party into an autonomous vehicle shall not be liable in, and shall have a

defense to and be dismissed from, any legal action brought against the original manufacturer by any person injured due to a vehicle defect caused by the conversion of the vehicle, or by equipment installed by the converter, unless the defect was present in the vehicle as originally manufactured.

(3) By February 12, 2014, the Department of Highway Safety and Motor Vehicles shall submit a report to the President of the Senate and the Speaker of the House of Representatives recommending additional legislative or regulatory action that may be required for the safe testing and operation of motor vehicles equipped with autonomous technology.

TITLE AMENDMENT

Remove line 506 and insert:

made by the act; defining the term "autonomous technology"; providing legislative intent and findings; amending s. 316.003, F.S.; defining the terms "autonomous vehicle" and "autonomous technology" when used in provisions for traffic control; creating s. 316.85, F.S.; authorizing a person who possesses a valid driver license to operate an autonomous vehicle; specifying that the person who causes the vehicle's autonomous technology to engage is the operator; creating s. 319.145, F.S.; requiring an autonomous vehicle registered in this state to meet federal standards and regulations for a motor vehicle; specifying certain requirements for such vehicle; providing for the application of certain federal regulations; authorizing the operation of vehicles equipped with autonomous technology by certain persons for testing purposes under certain conditions; requiring an instrument of insurance, surety bond, or self-insurance prior to the testing of a vehicle; limiting liability of the original manufacturer of a vehicle converted to an autonomous vehicle; directing the department to prepare a report on the safe testing and operation of vehicles equipped with autonomous technology and submit the report to the Legislature by a certain date; providing effective dates.

Rep. Brandes moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/HB 965—A bill to be entitled An act for the relief of Aaron Edwards, a minor, by Lee Memorial Health System of Lee County; providing for an appropriation to compensate Aaron Edwards for damages sustained as a result of medical negligence by employees of Lee Memorial Health System of Lee County; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the second time by title.

Representative Kreegel offered the following:

(Amendment Bar Code: 215055)

Amendment 1 (with title amendment)—Remove lines 35-39 and insert: by Aaron Edwards in the sum of \$5,000,000, payable to the Guardianship of Aaron Edwards to be used to purchase an annuity from an insurance company or other institution admitted and authorized to issue annuity contracts in this state, selected by the Guardianship of Aaron Edwards, for the exclusive use and benefit of Aaron Edwards, a minor.

TITLE AMENDMENT

Remove line 7 and insert:

directing the Guardianship of Aaron Edwards to purchase an annuity; providing a limitation on the payment of fees

Rep. Kreegel moved the adoption of the amendment, which failed of adoption.

Representative Trujillo offered the following:

(Amendment Bar Code: 809233)

Amendment 2—Remove lines 35-37 and insert:

by Aaron Edwards in the sum of \$10,000,000 due by December 31, 2012, plus an additional \$1,000,000 by July 1 of each year beginning in 2013 through 2017, inclusive, for a total of \$15,000,000, payable to the Guardianship of Aaron Edwards, to be

Rep. Trujillo moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 967—A bill to be entitled An act for the relief of Kristi Mellen as personal representative of the Estate of Michael Munson, deceased, by the North Broward Hospital District; providing for an appropriation to compensate the estate and the statutory survivors, Kristi Mellen, surviving spouse, and Michael Conner Munson and Corinne Keller Munson, surviving minor son and surviving minor daughter, for the wrongful death of Michael Munson as a result of the negligence of the North Broward Hospital District; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 293—A bill to be entitled An act for the relief of Criss Matute, Christian Manuel Torres, Eddna Torres De Mayne, Lansky Torres, and Nasdry Yamileth Torres Barahona by the Palm Beach County Sheriff's Office; providing for an appropriation to compensate them for injuries sustained as a result of the negligence of the Palm Beach County Sheriff's Office for the wrongful death of their father, Manuel Antonio Matute; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 877—A bill to be entitled An act for the relief of Odette Acanda and Alexis Rodriguez by the Public Health Trust of Miami-Dade County, d/b/a Jackson Memorial Hospital; providing for an appropriation to compensate Odette Acanda and Alexis Rodriguez for the death of their son, Ryan Rodriguez, as a result of the negligence of employees of the Public Health Trust of Miami-Dade County; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 855—A bill to be entitled An act for the relief of Carl Abbott by the Palm Beach County School Board; providing for an appropriation to compensate Carl Abbott for injuries sustained as a result of the negligence of the Palm Beach County School District; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 1039—A bill to be entitled An act for the relief of James D. Feurtado, III, by Miami-Dade County; providing for an appropriation to compensate him for injuries he sustained as a result of the negligence of an employee of Miami-Dade County; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 1485—A bill to be entitled An act for the relief of Monica Cantillo Acosta and Luis Alberto Cantillo Acosta, surviving children of Nhora Acosta, by Miami-Dade County; providing for an appropriation to compensate them for the wrongful death of their mother, Nhora Acosta, due to injuries sustained as a result of the negligence of a Miami-Dade County bus driver; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 579—A bill to be entitled An act for the relief of Ronnie Lopez and Robert Guzman, as co-personal representatives of the Estate of Ana-Yency Velasquez, deceased, and for Ronnie Lopez, Jr., Ashley Lorena Lopez-Velasquez, and Steven Robert Guzman, minor children of Ana-Yency Velasquez, by Miami-Dade County; providing for an appropriation to compensate the estate and the minor children for the death of Ana-Yency Velasquez as a result of the negligence of an employee of Miami-Dade County; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the second time by title.

Representative Nuñez offered the following:

(Amendment Bar Code: 351895)

Amendment 1 (with title amendment)—Remove line 19 and insert: WHEREAS, Roberto Guzman, co-personal representative of the

Remove line 70 and insert:

Ronnie Lopez and Roberto Guzman, as co-personal representatives

TITLE AMENDMENT

Remove line 2 and insert:

An act for the relief of Ronnie Lopez and Roberto

Rep. Nuñez moved the adoption of the amendment, which was adopted.

Representative Nuñez offered the following:

(Amendment Bar Code: 331603)

Amendment 2 (with title amendment)—

TITLE AMENDMENT

Remove line 23 and insert:

WHEREAS, on February 28, 2009, a Miami-Dade County Police

Rep. Nuñez moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 457—A bill to be entitled An act for the relief of Denise Gordon Brown and David Brown by the North Broward Hospital District; providing for an appropriation to compensate Denise Gordon Brown and David Brown, parents of Darian Brown, for injuries and damages sustained by Darian Brown as result of the negligence of Broward General Medical Center; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 7131—A bill to be entitled An act for the relief of Irving Hoffman and Marjorie Weiss, parents of Rachel Hoffman, deceased, individually and as co-personal representatives of the Estate of Rachel Hoffman, by the City of Tallahassee; providing an appropriation to compensate them for the wrongful death of their daughter, Rachel Hoffman, who was murdered while serving as a confidential informant for the Tallahassee Police Department; providing an effective date.

—was read the second time by title.

Representative Julien offered the following:

(Amendment Bar Code: 077007)

Amendment 1 (with title amendment)—Remove line 46 and insert: act which resulted in the death of Rachel Hoffman. The total amount paid for attorney fees, lobbying fees, costs, and other similar expenses relating to this claim may not exceed 15 percent of the first \$1,000,000 awarded under this act, 10 percent of the second \$1,000,000 awarded under this act, and 5 percent of the remainder awarded under this act, for a total of \$270,000.

TITLE AMENDMENT

Remove lines 9-10 and insert:
for the Tallahassee Police Department; providing a limitation on the payment of fees and costs; providing an effective date.

Rep. Julien moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 43—A bill to be entitled An act for the relief of Ronald Miller by the City of Hollywood; providing for an appropriation to compensate him for injuries sustained as a result of the negligence of the City of Hollywood; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 909—A bill to be entitled An act for the relief of Anais Cruz Peinado by the School Board of Miami-Dade County; providing for an appropriation to compensate Anais Cruz Peinado, mother of Juan Carlos Rivera, deceased, for the death of Juan Carlos Rivera as a result of the negligence of the School Board of Miami-Dade County; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 697—A bill to be entitled An act for the relief of Donald Brown by the District School Board of Sumter County; providing for an appropriation to compensate Donald Brown for injuries sustained as a result of the negligence of an employee of the District School Board of Sumter County; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the second time by title.

Representative Schenck offered the following:

(Amendment Bar Code: 167529)

Amendment 1 (with title amendment)—Remove lines 102-116 and insert:

Section 2. The District School Board of Sumter County is authorized and directed to appropriate from funds of the school board not otherwise appropriated and from available insurance proceeds and to draw a warrant payable to Donald Brown in the amount of \$900,000. In addition, the District School Board of Sumter County is further authorized and directed to appropriate from funds of the school board not otherwise appropriated and to draw a warrant payable to Donald Brown in the sum of \$50,000 by July 1 of each year beginning in 2013 through 2022, inclusive, for a total of \$500,000. The total amount awarded under this act is \$1,400,000.

Section 3. The compensation awarded under this act is intended to provide the sole compensation for all present and future claims arising out of the factual situation described in this act which resulted in the injuries to Donald Brown. The total amount paid for attorney's fees, lobbying fees, costs, and other similar expenses relating to this claim may not exceed 15 percent of the

first \$1,000,000 awarded under this act, and 10 percent of the remainder awarded under this act, for a total of \$190,000.

TITLE AMENDMENT

Remove line 94 and insert:

WHEREAS, the remainder of the judgment is

Rep. Schenck moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/HB 445 was taken up. On motion by Rep. Grant, the House agreed to substitute **CS for SB 4** for **CS/CS/HB 445** and read **CS for SB 4** a second time by title. Under Rule 5.14, the House bill was laid on the table.

CS for SB 4—A bill to be entitled An act for the relief of Eric Brody by the Broward County Sheriff's Office; providing for an appropriation to compensate Eric Brody for injuries sustained as a result of the negligence of the Broward County Sheriff's Office; providing a limitation on the payment of fees and costs related to the claim against the Broward County Sheriff's Office; providing legislative intent regarding lien interests held by the state; providing an effective date.

—was read the second time by title.

Representative Grant offered the following:

(Amendment Bar Code: 432013)

Amendment 1—Remove everything after the enacting clause and insert:

Section 1. The facts stated in the preamble to this act are found and declared to be true.

Section 2. The insurer of the Sheriff of Broward County has agreed to pay, and is authorized and directed to pay, \$10,750,000 on behalf of the Broward County Sheriff's Office to the Guardianship of Eric Brody to be placed in a special needs trust created for the exclusive use and benefit of Eric Brody as compensation by the Broward County Sheriff's Office and its insurer, Fairmont Specialty Insurance Company, f/k/a Ranger Insurance Company, for injuries brought about by the facts set forth in the preamble of this act.

Section 3. The amount awarded under this act is intended to provide the sole compensation for all present and future claims, including all attorney fees, lobbying fees, and related costs, arising out of the factual situation described in this act which resulted in the injuries to Eric Brody, and hereby releases the Broward County Sheriff's Office and Fairmont Specialty Insurance Company, f/k/a Ranger Insurance Company, the Broward County Board of County Commissioners, Broward County, and Christopher Thieman from any further liability. The total amount of attorney fees, lobbying fees, and related costs may not exceed 15 percent of the first \$1,000,000 awarded under this act, 10 percent of the second \$1,000,000 awarded under this act, and 5 percent of the next \$3,000,000 awarded under this act, for a total of \$400,000.

Section 4. It is the intent of the Legislature that the lien interests relating to the claim of the Guardianship of Eric Brody for the treatment and care of Eric Brody, including Medicaid liens in excess of the sovereign immunity cap, are hereby waived or extinguished.

Section 5. This act shall take effect upon becoming a law.

Rep. Grant moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

Moment of Silence

At the request of the Speaker, the House observed a moment of silence for former member and former Secretary of State George Firestone, who passed away earlier today.

Motion to Adjourn

Rep. Weatherford moved that the House, after receiving reports, adjourn for the purpose of holding committee and subcommittee meetings and conducting other House business, to reconvene at 1:00 p.m., Monday, March 5, 2012, or upon call of the Chair. The motion was agreed to.

Messages from the Senate

The Honorable Dean Cannon, Speaker

I am directed to inform the House of Representatives that the Senate has adopted HM 83.

Debbie Brown, Secretary

The above memorial was ordered enrolled.

The Honorable Dean Cannon, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for CS for HB 107.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Dean Cannon, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 171.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Dean Cannon, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 233.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Dean Cannon, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 285.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Dean Cannon, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 347.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Dean Cannon, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 377.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Dean Cannon, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 393.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Dean Cannon, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 449.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Dean Cannon, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 463.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Dean Cannon, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 473.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Dean Cannon, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 483.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Dean Cannon, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 541.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Dean Cannon, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 667.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Dean Cannon, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 733.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Dean Cannon, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 1089, by the required Constitutional two-thirds vote of all members present.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Dean Cannon, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 1227.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Dean Cannon, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 1351.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Dean Cannon, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 4123.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Dean Cannon, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 7013.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Dean Cannon, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 7017.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Dean Cannon, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 7033.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Dean Cannon, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 7035.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Dean Cannon, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 7037.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Dean Cannon, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 7103.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Dean Cannon, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 198, as amended, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committee on Governmental Oversight and Accountability; and Senator Thrasher—

CS/SB 198—A bill to be entitled An act relating to the State University System optional retirement program; amending s. 121.35, F.S.; increasing to no more than six the number of companies from which contracts may be purchased under the program; providing a procurement process for additional provider companies; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Dean Cannon, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for SB 704, as amended, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committees on Budget Subcommittee on General Government Appropriations; and Community Affairs; and Senator Bennett—

CS/CS/SB 704—A bill to be entitled An act relating to building construction and inspection; amending s. 162.12, F.S.; revising the authorized methods of sending notices to violators of local codes; creating s. 255.0518, F.S.; requiring a county or municipality, a department or agency of the state, a county, or a municipality, or any other public body or institution to open a sealed bid and announce the name of each bidder and the price submitted in the bid at a public meeting and make such information available upon request; amending s. 381.0065, F.S.; revising the definition of the term “bedroom” for purposes of requirements governing onsite sewage treatment and disposal systems; conforming a cross-reference; providing that a permit for the installation, modification, or repair of an onsite sewage treatment and disposal system approved by the Department of Health transfers along with the title to the property in a real estate transaction; prohibiting the transferred title from being encumbered by new permit requirements; providing criteria for an abandoned onsite sewage treatment and disposal system; providing guidelines for the reconnection of an abandoned system; providing for the applicability of rules to the construction of an onsite sewage treatment and disposal system; providing certain exemptions for a remodeled single-family home; amending

s. 468.604, F.S.; authorizing a building code administrator or building official to approve the electronic filing of building plans and related documents; amending s. 468.609, F.S.; revising the eligibility requirements of a building code inspector or plans examiner; revising criteria for the issuance of provisional certificates; amending s. 468.841, F.S.; including a person or a business organization acting within the scope of a landscape architecture license in the exemption from certain provisions related to mold assessment; amending s. 481.329, F.S.; clarifying the authority of a landscape design practitioner to submit planting plans; amending s. 489.103, F.S.; providing an exemption from construction contracting requirements for an owner who installs, removes, or replaces solar panels on certain residences while acting as the contractor; providing for an electronic signature on the permit application; requiring the building permit application and disclosure statement to include a declaration statement by the owner; providing that the issuing authority is not liable in any civil action for inaccurate information submitted by the owner using the authority's electronic permitting system; amending s. 489.105, F.S.; revising the definition of the term "demolish" for purposes of describing the scope of work of a contractor to include all buildings or residences of certain heights; clarifying the definition of the terms "roofing contractor," "Class A air-conditioning contractor," "Class B air-conditioning contractor," "mechanical contractor," and "plumbing contractor"; removing the term "glazing contractor" from within the definition of the term "contractor" for purposes of licensing by the Department of Business and Professional Regulation; reenacting s. 489.105(6), F.S., relating to the definition of the term "contracting"; clarifying the intent of the Legislature in the adoption of certain amendments to s. 489.105(6), F.S., and specifying that the amendments were intended to be remedial in nature, clarify existing law, and apply retroactively to any contract for the sale of manufactured or factory-built buildings that will be completed on site and otherwise comply with the requirements under state law; amending s. 489.113, F.S.; clarifying that subcontractors may perform construction work under the supervision of a person who is certified or registered; amending s. 553.5041, F.S.; correcting a cross-reference; amending s. 553.721, F.S.; allocating a portion of the funds derived from a surcharge on permit fees to the Florida Building Code Compliance and Mitigation Program; making technical and grammatical changes; amending s. 553.73, F.S.; exempting certain buildings or structures used for hunting from the Florida Building Code; amending s. 553.79, F.S.; requiring that a building code enforcing agency, administrator, and inspector provide certain information to a permit applicant upon a finding of noncompliance with the Florida Building Code; amending s. 553.844, F.S.; extending the expiration date to 2013 for exemption of certain equipment installation meeting the 2007 building code; amending s. 633.0215, F.S.; authorizing the electronic filing of certain construction plans for approval by the fire code administrator or fire official; amending s. 713.135, F.S.; providing that an owner or contractor is not required to personally appear and provide a notarized signature when filing a building permit application for a solar project if certain conditions are met; providing that the issuing authority is not liable in any civil action for inaccurate information submitted by the owner using the authority's electronic permitting system; requiring the Florida Building Commission to establish a workgroup to assist in the development of rules for an alternative design method for screen enclosures; providing for membership of the workgroup; providing factors that must be included in the rule; providing dates for appointment of the workgroup and adoption of a rule; requiring the commission to incorporate the alternative design method for screen enclosures into the Florida Building Code; providing conditions for expiration of the provision; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Dean Cannon, Speaker

I am directed to inform the House of Representatives that the Senate has passed SB 1040, as amended, and requests the concurrence of the House.

Debbie Brown, Secretary

By Senators Bogdanoff, Oelrich, and Altman—

SB 1040—A bill to be entitled An act relating to the practice of dentistry; amending s. 466.006, F.S.; revising the eligibility requirements for taking the examinations required to practice dentistry if the applicant is a graduate of a certain dental college or school; amending s. 466.007, F.S.; revising the eligibility requirements for taking the examinations required to practice dental hygiene; revising the licensing requirements to practice as a dental hygienist; amending s. 466.017, F.S.; authorizing dental hygienists to administer certain local anesthesia under the direct supervision of a licensed dentist if certain educational requirements are met; requiring dental hygienists to maintain current certification in basic or advanced cardiopulmonary resuscitation or advanced cardiac life support with recertification every 2 years; amending s. 466.023, F.S.; revising the scope and area of practice for dental hygienists, to conform to changes made by this act; amending s. 466.024, F.S.; revising the delegated duties that are found to be remediable and delegable, to conform to changes made by this act; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

Votes After Roll Call

[Date(s) of Vote(s) and Sequence Number(s)]

Rep. Garcia

Yeas—February 23: 803, 804, 805, 806, 807, 808, 809, 869

Rep. Pafford

Nays—February 23: 814

Yeas to Nays—February 16: 787

Nays to Yeas—February 23: 814

Rep. Proctor

Yeas—March 1: 1022

Rep. Reed

Yeas—March 1: 1012

Nays—February 29: 1001, 1002, 1003, 1004, 1006; March 1: 1019

Rep. Renuart

Yeas—February 23: 857, 897, 900

Rep. Weinstein

Yeas—February 29: 1003

Cosponsors

CS/CS/HB 3—Young

CS/HB 59—Young

HB 221—Young

CS/CS/HB 431—Young

HM 499—Van Zant

HB 515—Young

HB 597—Artiles

CS/CS/CS/HB 711—Patronis

CS/CS/HB 801—Young

CS/CS/HB 885—Garcia

CS/CS/HB 971—McBurney

CS/CS/CS/HB 999—Smith

CS/CS/HB 1193—Adkins, Bullard

CS/HB 1195—Coley, Julien

HB 1209—Horner

HM 1321—Pilon

CS/CS/CS/HB 1355—Pafford

HB 1365—Costello

HB 1381—Bernard

HR 1447—Metz

CS/HB 1461—Baxley

HB 4001—Van Zant, Young

CS/CS/HB 7117—Young

HB 7129—Ahern

CS/HB 7133—Campbell

HR 9001—Metz

HR 9095—Davis, Jones, Weinstein

HR 9099—Adkins, Davis, Jones

House Resolutions Adopted by Publication

At the request of Rep. McKeel—

HR 9089—A resolution designating August 26, 2012, as "Lineworker Appreciation Day" in the State of Florida.

WHEREAS, America's electric energy is generated by thousands of independently owned and operated power plants, all of which are connected to a complex electrical grid consisting of over 5 million miles of transmission and distribution lines that deliver energy to homes, businesses, hospitals, churches, and schools throughout the country, and

WHEREAS, the nationwide electrical grid must be maintained and operational 24 hours a day, 7 days a week, and 365 days a year despite inclement weather, hurricanes, tornadoes, and various other possible hazards, and this vital service is performed by 114,000 skilled men and women known as electrical lineworkers who are employed by each independently owned utility, and

WHEREAS, Florida's lineworkers, in particular, have demonstrated outstanding skill and dedication by winning numerous awards and participating in multiple lineworker competitions, most notably the annual Florida Municipal Electric Association Lineman Competition, in which lineworkers throughout the United States compete to determine the fastest, most accurate, and safest lineworker team, with Florida utilities receiving multiple team and individual awards, and

WHEREAS, the hardworking men and women of Florida who risk their lives daily in extremely dangerous situations to ensure the reliable delivery of electric energy to all citizens of the state are most deserving of gratitude, appreciation, and honor, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That August 26, 2012, is designated as "Lineworker Appreciation Day" in the State of Florida.

—was read and adopted by publication pursuant to Rule 10.17.

Excused

Reps. Randolph, Sands

The following Conference Committee Managers were excused in order to conduct business with their Senate counterparts:

HB 5001, HB 5003, HB 5005, HB 5007, HB 5009, and HB 5011 to serve with Rep. Grimsley, Chair; At-Large: Reps. Aubuchon, Chestnut, Dorworth, Frishe, Holder, Hukill, Jones, Legg, Lopez-Cantera, McKeel, Sands, Saunders, Schenck, Snyder, and Weatherford; HB 5601 and SB 1986, House Agriculture & Natural Resources/Senate General Government—Rep. T. Williams, Chair, and Reps. Artiles, Bembry, Boyd, Crisafulli, Goodson, and Porter; CS/HB 843, HB 5501, HB 5503, HB 5505, HB 5507, CS/HB 5509, and HB 5511, House Government Operations/Senate General Government—Rep. Hooper, Chair, and Reps. Berman, Gibbons, Mayfield, Nelson, Patronis, Watson, and Weinstein; HB 5301, HB 5303, and SB 1990, House Health Care/Senate Health and Human Services—Rep. Hudson, Chair, and Reps. Baxley, Bileca, Corcoran, Cruz, Davis, Diaz, Pafford, Schwartz, Wood, and Young; HB 5201, CS/HB 5203, and SB 1994, House Higher Education/Senate Higher Education—Rep. O'Toole, Chair, Rep. Proctor, Acting Co-Chair, Rep. Gonzalez, Acting Co-Chair, and Reps. Ahern, Bullard, Harrison, Nuñez, Oliva, Passidomo, Reed, Stargel, Taylor, Trujillo, and A. Williams; HB 5401, HB 5403, HB 5405, SB 1958, SB 1960, SB 1964, and SB 1968, House Justice/Senate Criminal and Civil Justice—Rep. Glorioso, Chair, and Reps. Eisnagle, Grant, Harrell, McBurney, Metz, Perry, Pilon, Rouson, Soto, and Waldman; HB 5101 and CS/HB 5103, House PreK-12/Senate Education PreK-12—Rep. Coley, Chair, and Reps. Adkins, Clarke-Reed, Fresen, Gaetz, Hager, Kiar, Logan, Smith, and Thompson; SB 1996 and SB 1998, House Transportation & Economic Development/Senate Transportation, Tourism and Economic Development—Rep. Horner, Chair, and Reps. Bernard, Brandes, Brodeur, Broxson, Burgin, Drake, Nehr, Rogers, and Workman; CS/CS/HB 87, CS/HB 737, HB 5701, HB 5703, and HB 7087, House Finance & Tax/Senate Finance and Tax—Rep. Precourt, Chair, and Reps. Albritton, Caldwell, Costello, Julien, Ray, Randolph, Rooney, Steube, and Thurston.

Adjourned

Pursuant to the motion previously agreed to, the House adjourned at 5:37 p.m., to reconvene at 1:00 p.m., Monday, March 5, 2012, or upon call of the Chair.

CHAMBER ACTIONS ON BILLS

Friday, March 2, 2012

CS for SB	4 — Substituted for CS/CS/HB 445; Read 2nd time; Amendment 432013 adopted; Placed on 3rd reading	HM	717 — Read 2nd time; Adopted
		HB	763 — Read 2nd time; Placed on 3rd reading
CS/HB	43 — Read 2nd time; Placed on 3rd reading	HB	777 — Read 2nd time; Placed on 3rd reading; Amendment 704819 adopted
CS/CS/HB	119 — Read 3rd time; Amendment 656145 adopted; CS passed as amended; YEAS 85, NAYS 30	CS/HB	855 — Read 2nd time; Placed on 3rd reading
CS/HB	293 — Read 2nd time; Placed on 3rd reading	CS/CS/CS/HB	859 — Temporarily postponed, on 3rd Reading
CS/HB	309 — Read 2nd time; Placed on 3rd reading	HB	865 — Read 2nd time; Placed on 3rd reading
CS/CS/HB	337 — Read 2nd time; Amendment 210363 adopted; Placed on 3rd reading	CS/HB	877 — Read 2nd time; Placed on 3rd reading
CS/CS/CS/HB	363 — Read 2nd time; Amendment 122275 adopted; Placed on 3rd reading	CS/CS/HB	885 — Read 2nd time; Amendment 554139 adopted; Placed on 3rd reading
CS/HB	413 — Read 2nd time; Placed on 3rd reading	CS/HB	891 — Read 2nd time; Placed on 3rd reading
CS/HB	429 — Read 2nd time; Placed on 3rd reading	CS/CS/CS/HB	903 — Read 3rd time; Amendment 920555 Failed; Amendment 226293 adopted; CS passed as amended; YEAS 86, NAYS 30
CS/CS/HB	445 — Substituted CS/SB 4; Laid on Table, refer to CS/SB 4	CS/HB	909 — Read 2nd time; Placed on 3rd reading
CS/HB	451 — Read 2nd time; Placed on 3rd reading	CS/HJR	931 — Read 2nd time; Amendment 809755 adopted; Placed on 3rd reading
CS/HB	457 — Read 2nd time; Placed on 3rd reading	CS/CS/HB	949 — Read 2nd time; Placed on 3rd reading
CS/CS/HB	495 — Temporarily postponed, on 3rd Reading	CS/HB	963 — Read 2nd time; Placed on 3rd reading
CS/CS/HB	497 — Read 2nd time; Placed on 3rd reading	CS/CS/HB	965 — Read 2nd time; Amendment 215055 Failed; Amendment 809233 adopted; Placed on 3rd reading
CS/CS/HB	565 — Temporarily postponed, on 3rd Reading		
CS/HB	579 — Read 2nd time; Amendment 351895 adopted; Amendment 331603 adopted; Placed on 3rd reading	CS/HB	967 — Read 2nd time; Placed on 3rd reading
		HB	997 — Temporarily postponed, on 2nd Reading
CS/CS/CS/HB	625 — Read 2nd time; Amendment 818169 adopted; Placed on 3rd reading	CS/HJR	1003 — Read 3rd time; CS passed as amended; YEAS 112, NAYS 2
CS/CS/HB	651 — Read 2nd time; Amendment 659431 adopted; Amendment 474077 adopted; Amendment 572633 adopted; Amendment 739345 adopted; Amendment 891531 adopted; Amendment 147305 adopted; Placed on 3rd reading	HB	1015 — Read 2nd time; Placed on 3rd reading
		CS/HB	1023 — Read 2nd time; Placed on 3rd reading
		CS/HB	1039 — Read 2nd time; Placed on 3rd reading
CS/CS/HB	653 — Read 2nd time; Placed on 3rd reading	CS/CS/HB	1097 — Read 2nd time; Placed on 3rd reading
CS/HB	671 — Read 2nd time; Placed on 3rd reading	HB	1153 — Read 3rd time; Passed; YEAS 115, NAYS 0
CS/HB	697 — Read 2nd time; Amendment 167529 adopted; Placed on 3rd reading	CS/HB	1195 — Read 2nd time; Placed on 3rd reading
CS/HB	701 — Read 2nd time; Placed on 3rd reading	CS/CS/CS/HB	1205 — Read 3rd time; CS passed as amended; YEAS 79, NAYS 37
CS/CS/CS/HB	711 — Read 3rd time; CS passed as amended; YEAS 114, NAYS 0	CS/HB	1207 — Read 3rd time; Amendment 095435 adopted; CS passed as amended; YEAS 112, NAYS 0; Amendment 095435 adopted

CS/HB	1211 — Read 3rd time; CS passed; YEAS 115, NAYS 0	CS/HB	7055 — Read 3rd time; Amendment 456907 adopted; CS passed as amended; YEAS 81, NAYS 33
CS/HB	1253 — Read 2nd time; Placed on 3rd reading	CS/CS/HB	7059 — Read 2nd time; Amendment 931005 adopted; Amendment 217157 adopted; Amendment 688615 adopted; Amendment 242755 Failed; Amendment 986607 adopted; Placed on 3rd reading; Amendment 021877 adopted
CS/CS/CS/CS/HB	1261 — Read 2nd time; Amendment 713415 adopted; Amendment 180569 adopted; Amendment 790407 adopted; Amendment 166771 adopted; Placed on 3rd reading	CS/CS/HB	7063 — Read 2nd time; Placed on 3rd reading
CS/CS/CS/HB	1263 — Read 3rd time; Amendment 005105 adopted; CS passed as amended; YEAS 86, NAYS 28	HB	7111 — Read 2nd time; Placed on 3rd reading
HB	1297 — Read 3rd time; Passed; YEAS 114, NAYS 0	CS/CS/HB	7117 — Read 2nd time; Amendment 143723 adopted; Amendment 214917 adopted; Amendment 350545 adopted; Amendment 104007 adopted; Amendment 617607 adopted; Amendment 243835 adopted; Placed on 3rd reading; Amendment 566345 adopted
CS/HB	1313 — Read 2nd time; Placed on 3rd reading	HB	7127 — Read 2nd time; Amendment 127245 adopted; Placed on 3rd reading
CS/CS/CS/HB	1355 — Read 2nd time; Amendment 034315 adopted; Amendment 091325 adopted; Placed on 3rd reading	HB	7129 — Read 3rd time; Passed as amended; YEAS 85, NAYS 28
HB	1381 — Read 2nd time; Placed on 3rd reading	HB	7131 — Read 2nd time; Amendment 077007 adopted; Placed on 3rd reading
CS/CS/CS/HB	1399 — Read 2nd time; Amendment 146769 adopted; Amendment 896645 adopted; Amendment 811083 adopted; Amendment 360789 adopted; Amendment 931995 adopted; Amendment 401967 adopted; Amendment 811279 adopted; Amendment 813961 adopted; Amendment 283993 adopted; Amendment 357797 adopted; Amendment 604001 adopted; Amendment 598727 adopted; Amendment 389773 adopted; Placed on 3rd reading	CS/HB	7133 — Read 2nd time; Amendment 060223 adopted; Amendment 496827 adopted; Amendment 581125 adopted; Amendment 507061 adopted; Amendment 247815 adopted; Amendment 071113 adopted; Amendment 522919 adopted
CS/CS/CS/HB	1403 — Read 3rd time; CS adopted as amended; YEAS 78, NAYS 34	HB	7135 — Read 2nd time; Amendment 220371 adopted; Placed on 3rd reading
CS/HB	1461 — Read 2nd time; Placed on 3rd reading		
CS/HB	1485 — Read 2nd time; Placed on 3rd reading		

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